

## SYDNEY WESTERN CITY PLANNING PANEL COUNCIL ASSESSMENT REPORT

<b>Panel Reference</b>	2017SSW058
<b>DA Number</b>	DA-779/2017
<b>LGA</b>	Liverpool City Council
<b>Proposed Development</b>	Construction of 104 dwellings with associated car parking and landscape works, the creation of two pocket parks, a local park, Mews No.3 and Community title subdivision of the site.
<b>Street Address</b>	Lot 100 Campbelltown Road, Edmondson Park Lot 100 DP 1238023
<b>Applicant</b>	Australand Residential Edmondson Park Pty Ltd
<b>Owner</b>	Australand Residential Edmondson Park Pty Ltd
<b>Date of DA Lodgement</b>	27 September 2017
<b>Number of Submissions</b>	Nil
<b>Recommendation</b>	Approval subject to conditions
<b>Regional Development Criteria (Schedule 7 of the SEPP 2011)</b>	Development with a Capital Investment Value (CIV) of \$34,545,000.
<b>List of all relevant Section 4.15(1)(a) matters</b>	<p><i>List all of the relevant environmental planning instruments: Section 4.15(1)(a)(i)</i></p> <ul style="list-style-type: none"> <li>• State Environmental Planning Policy No.55 – Remediation of Land.</li> <li>• State Environmental Planning Policy (State and Regional Development) 2011.</li> <li>• State Environmental Planning Policy (Infrastructure) 2007.</li> <li>• State Environmental Planning Policy (State Significant Precincts) 2005, Schedule 3, Part 31 Edmondson Park South Site (SEPP 2005)</li> <li>• Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment.</li> <li>• State Environmental Planning Policy (BASIX) 2004</li> </ul> <p><i>List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: Section 4.15(1)(a)(ii)</i></p>

	<ul style="list-style-type: none"> <li>No draft Environmental Planning Instruments apply to the site. <i>List any relevant development control plan: Section 4.15(1)(a)(iii)</i></li> <li>Edmondson Park Fraser Town Centre Design Guidelines <i>List any relevant planning agreement that has been entered into under section 7.14, or any draft planning agreement that a developer has offered to enter into under section 7.14: Section 4.15(1)(a)(iiia)</i></li> <li>No planning agreement relates to the site or proposed development. <i>List any relevant regulations: Section 4.15(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288</i></li> <li>Consideration of the provisions of the Building Code of Australia.</li> </ul>
<b>List all documents submitted with this report for the Panel's consideration</b>	<ol style="list-style-type: none"> <li>Architectural Plans</li> <li>Landscape Plans</li> <li>Statement of Environmental Effects</li> <li>Public Domain Plan</li> <li>Consolidated DEP Minutes</li> <li>Applicants response to SWCPP and Council Deferral Matters</li> <li>Applicants Commitment to Town Home Widths</li> <li>Legal Advice</li> <li>Instrument of Modification MOD 4</li> <li>RP1 Deep Soil and Tree Canopy Analysis</li> <li>Recommended Conditions of Consent</li> <li>Edmondson Park Frasers Town Centre Design Guidelines</li> </ol>
<b>Report prepared by</b>	Michael Oliveiro, Senior Development Planner
<b>Report date</b>	18 July 2018

<b>Summary of s4.15C matters</b> Have all recommendations in relation to relevant s4.15C matters been summarised in the Executive Summary of the assessment report?	<b>Yes</b>
<b>Legislative clauses requiring consent authority satisfaction</b> Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? <i>e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP</i>	<b>Yes</b>
<b>Clause 4.6 Exceptions to development standards</b> If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	<b>Not Applicable</b>
<b>Special Infrastructure Contributions</b> Does the DA require Special Infrastructure Contributions conditions (S7.11EF)? <i>Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions</i>	<b>Yes</b>
<b>Conditions</b> Have draft conditions been provided to the applicant for comment? <i>Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report</i>	<b>Yes</b>

## **1. EXECUTIVE SUMMARY**

### **1.1 Reasons for the report**

The Sydney Western City Planning Panel (SWCPP) is the determining body as the development has a Capital Investment Value (CIV) in excess of \$30 million, pursuant to Clause 2 of Schedule 7 of the State Environmental Planning Policy (State and Regional Development) 2011. The CIV is \$34,545,000.

### **1.2 The proposal**

The application seeks consent for the creation of Residential Precinct 1 – Stage 1 (RP1 – Stage 1), which forms part of the Frasers Town Centre within Edmondson Park South. RP1 – Stage 1 involves the creation of 104 dwellings in a medium density residential environment with associated parking areas and the creation of pocket parks, a local park and Mews No.3. The applicant has proposed a dwelling typology mix of 96 townhomes, 4 terraces and four 4 studio dwellings. In order to service the dwellings the applicant has proposed 172 car parking spaces across the site. The proposal will also include the Community title subdivision of the site and connection to services.

### **1.3 The site**

The site is currently identified as Lot 100 Campbelltown Road, Edmondson Park, is legally described as Lot 100 DP 1238023 and forms part of the Edmondson Park South Concept Approval. The area subject to this application is known as RP1 – Stage 1, has an area of 1.4905Ha (14,905m<sup>2</sup>) and is located in the south-western corner of Lot 100.

### **1.4 The issues**

The main issues identified during the assessment of the application related to:

- Suitability of building typology and associated at-grade car parking
- Separation and privacy between dwellings
- Unit mix
- Design of Mews No.3
- Provision of deep soil and adequacy of landscaping
- Compliance with the relevant plans and policies

The applicant has responded to these matters with additional and amended information. As a result of the assessment of the DA it is considered that the above listed matters have been resolved and the proposal is considered to be an acceptable form of development.

### **1.5 Exhibition of the proposal**

In accordance with LDCP 2008, Section 18 the DA was required to be notified and advertised. The development was on notification for 14 days from 1 November to 16 November 2017. No submissions have been received in respect of the proposal.

The development was referred to a number of internal and external departments, agencies and stakeholders, all of which raised no objection to the proposed development.

## 1.6 Conclusion

The application has been assessed pursuant to the provisions of the Environmental Planning and Assessment Act (EP&A Act) 1979. The proposal is generally compliant with the provisions of State Environmental Planning Policy (State Significant Precincts) 2005, Edmondson Park South Concept Approval (MP 10\_0118), MOD 4 of Concept Plan (MP 10\_0118) and the Edmondson Park FTC Design Guidelines.

Based on the assessment of the application, it is recommended that the application be approved subject to conditions.

## 2. SITE DESCRIPTION, LOCALITY AND SITE HISTORY

### 2.1 The site

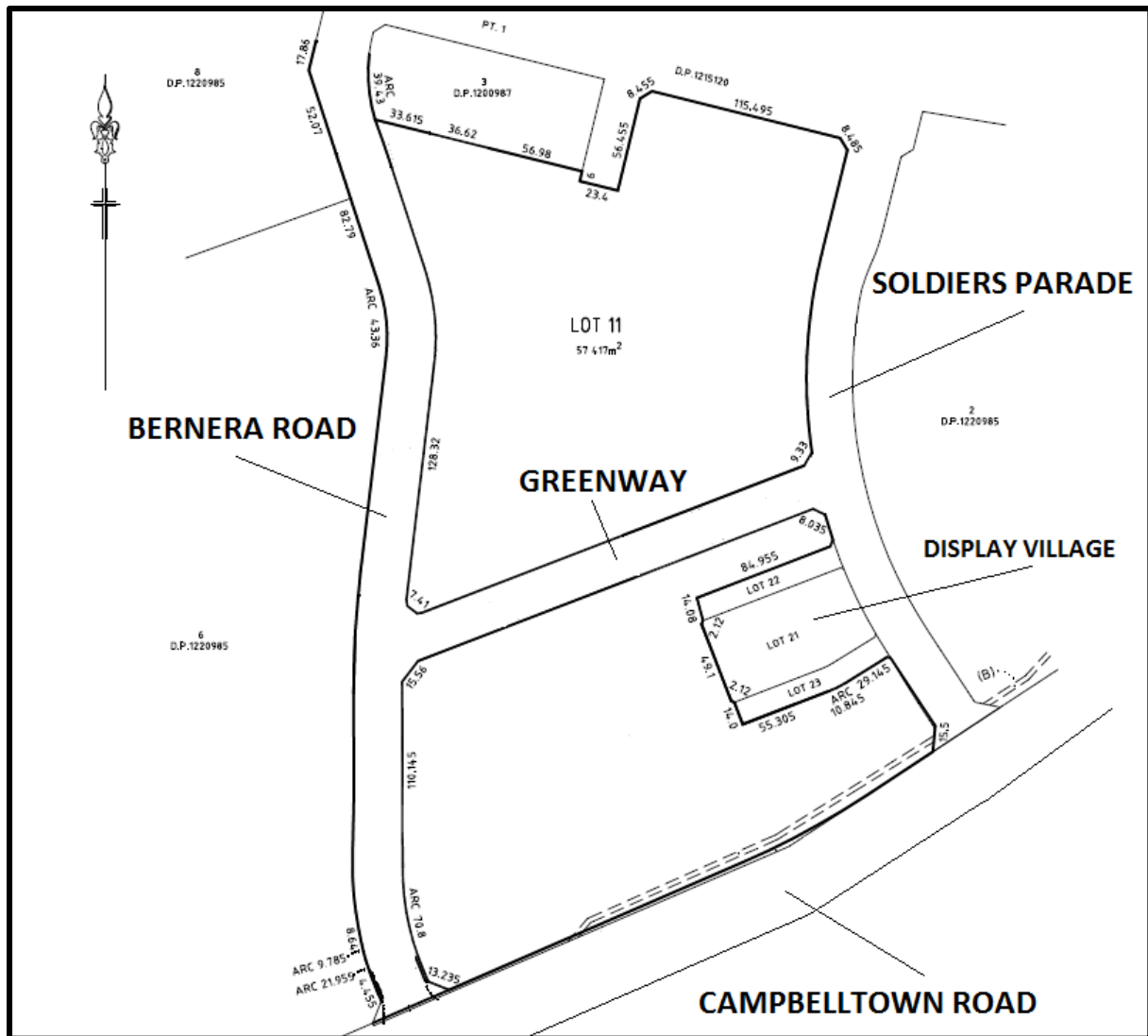
The site is currently identified as Lot 100 Campbelltown Road, Edmondson Park, is legally described as Lot 100 DP 1238023 and forms part of the Edmondson Park South Concept Approval. The site has an area of approximately 13.58Ha (135,800m<sup>2</sup>) and is situated on the northern side of Campbelltown Road (which marks the boundary between the Liverpool and Campbelltown LGA's) and the southern side of the South West Railway. The site is also bound by Soldiers Parade to the east and Lot 710 DP 1215666 and Lot 2 DP 1220978 to the west. These two adjoining lots are identified as a being part of a future regional park and residential subdivision. Figure 1 below demonstrates the subject site in the context of the locality.



Figure 1: Subject Site overlaid in yellow and outlined in red.

The approved road layout associated with the subject site is indicated in the following figure.





**Figure 2: Roads adjoining the subject site.**

The subject site was formerly occupied by defence buildings associated with the Ingleburn Army Village. These buildings were demolished by Landcom (formerly Urban Growth NSW) in preparation of the creation of the future town centre. The site currently has approval for and is undergoing clearing, excavation and regrading. The construction of roads and associated infrastructure (drainage and services) has also been approved onsite. Along the eastern site boundary and approximately 70m north of the intersection of Soldiers Parade and Campbelltown Road, a display centre has been constructed at the site. The display centre is operational.

The following image supplied by the applicant in March 2018, represents the current status of works at the site. The image shows the erected display centre fronting Soldiers Parade and the excavation and grading work done to Bernera Road and Residential Precinct 1 (RP1) bound by Greenway to the north and Campbelltown Road to the south. Some existing trees have been retained within RP1 where a local park is proposed.



**Figure 3: Photo indicating the current progress of works at the subject site.**

## 2.2 Residential Precinct 1 (RP1)

RP1 is highlighted in red in Figure 4 below.



**Figure 4: Residential Precinct 1 highlighted in red.**

RP1 has an area of approximately 4.8Ha (47,773m<sup>2</sup>). It has an approximate northern boundary of 240m to Greenway, an eastern boundary of 170m to Soldiers Parade, a western side boundary of 170m to Bernera Road and a southern boundary of 310m to Campbelltown Road. As depicted in Figure 3 above, RP1 has been excavated and graded in order to facilitate the

proposal. RP1 excludes the display village fronting Soldiers Parade and includes a number of local streets which were approved under DA-583/2017 (See Section 2.6.3 of this report for DA history), and are depicted in the following figure.

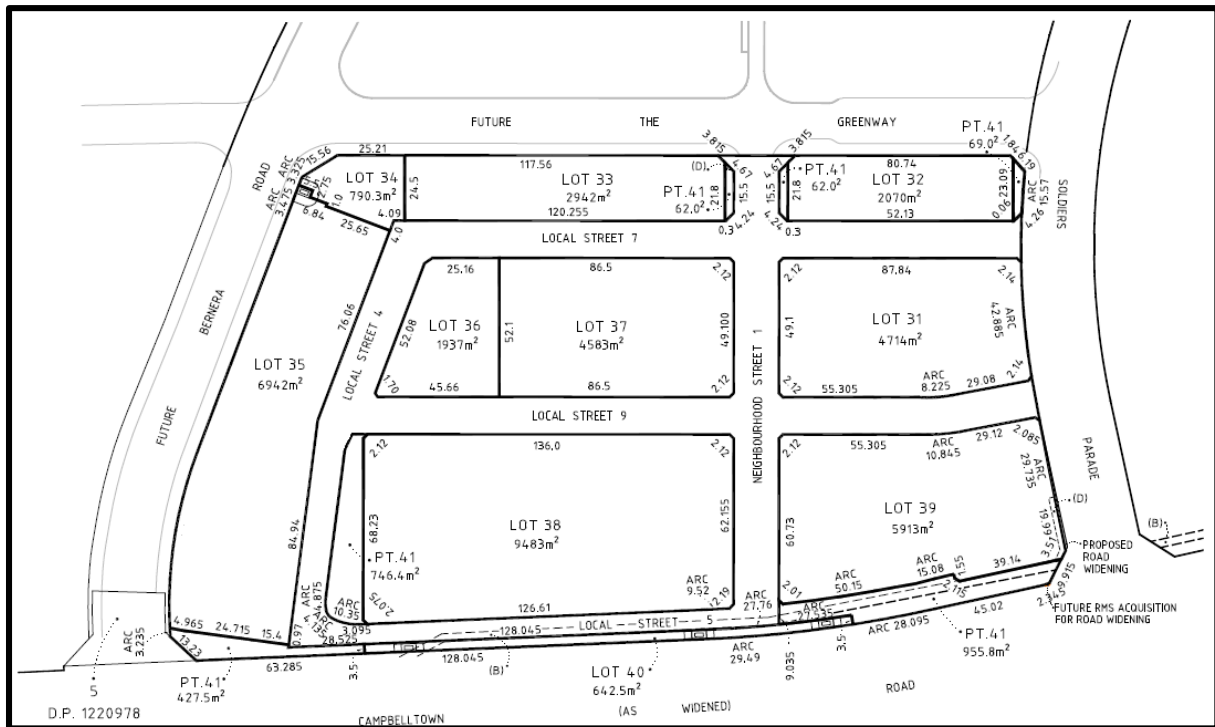


Figure 5: Residential Precinct 1 internal street network.

## 2.3 The developable area (RP1 – Stage 1)

The developable area, also known as RP1 – Stage 1, has an area of 1.4905Ha (14,905m²) and is indicated in the following figure. This excludes local streets, which were approved under DA-583/2017.

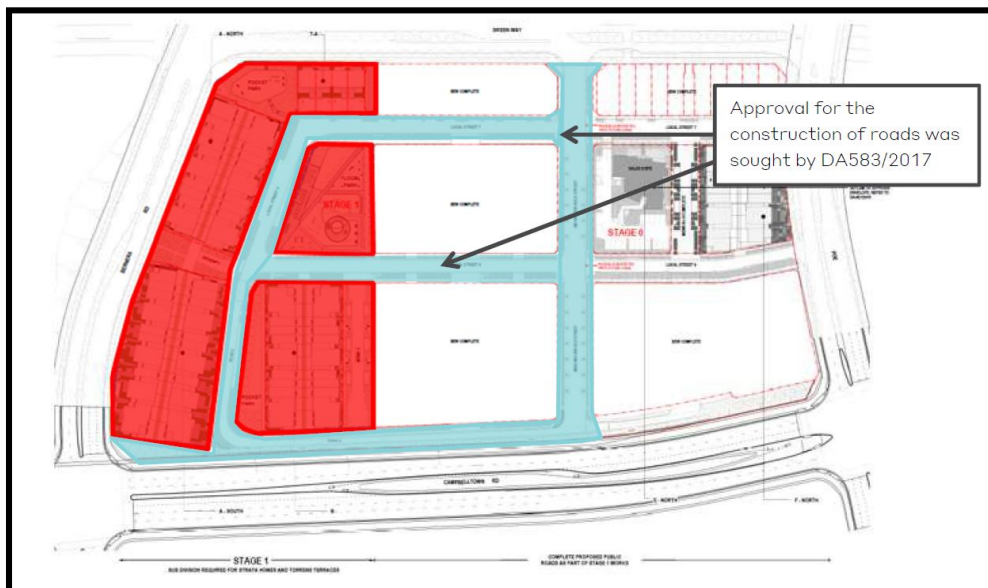
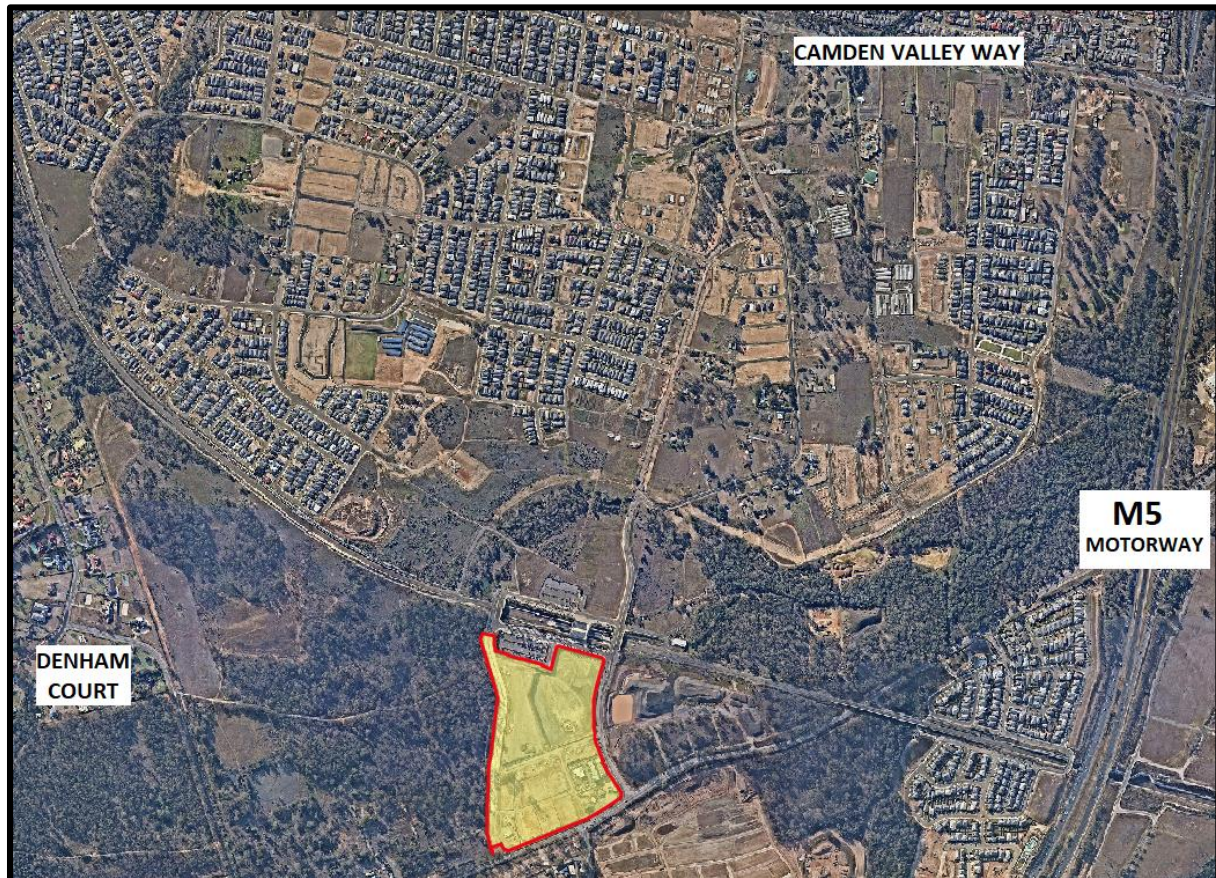


Figure 6: Residential Precinct 1 – Stage 1 highlighted in red.



## 2.4 The locality

Edmondson Park is undergoing significant transformation from rural to urban land centred on the Edmondson Park railway station and the creation of a new town centre. The following figure demonstrates the transition of existing rural land being subdivided and developed for mainly low to medium density housing.

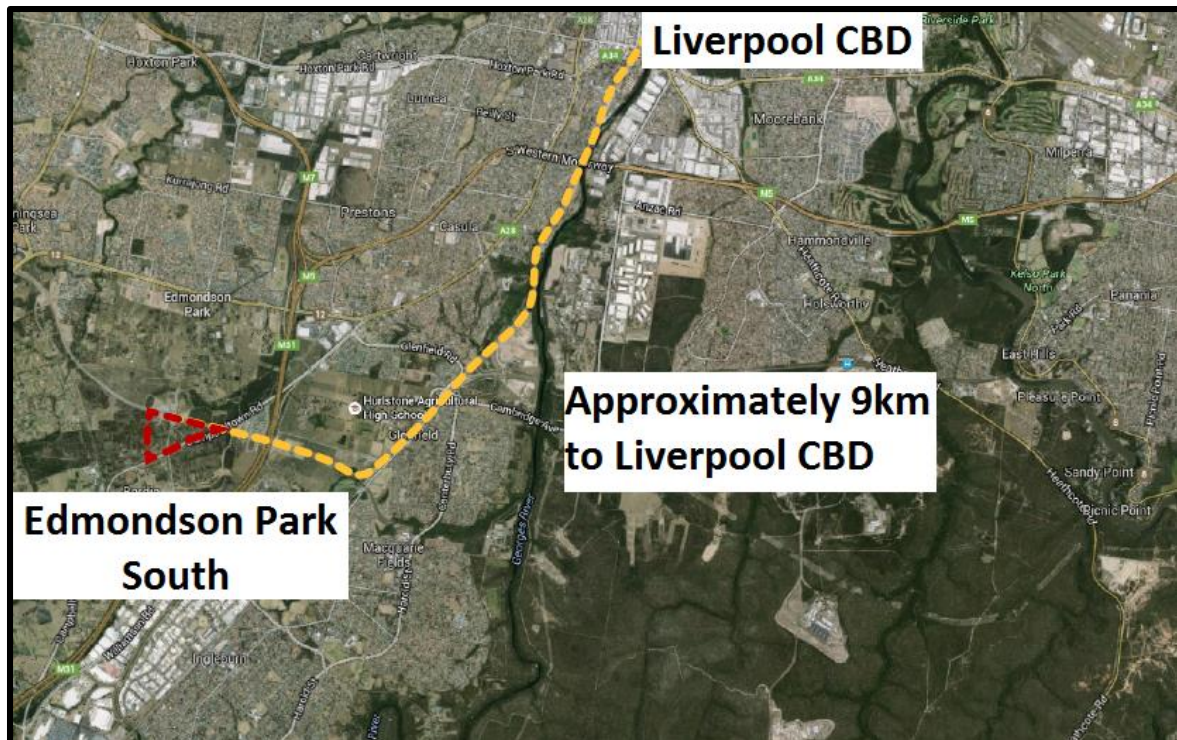


**Figure 7: Subject site overlayed in yellow and outlined in red within the surrounding context.**

The suburb of Edmondson Park is bound by Camden Valley Way to the north (approximately 2km north of the subject site), which is an arterial roadway running east-west as shown in Figure 7. To the west it is bound by the border line with the suburb of Denham Court, which is approximately 1km from the subject site. It is bound by Campbelltown Road to the south which adjoins the subject site and is bound by M5 Motorway to the east, which is approximately 1.5km from the subject site.

Edmondson Park is located outside of the South West Growth Centre, as per the Growth Centre SEPP 2006. The suburb is approximately 40km southwest of Sydney CBD and is located approximately 9km southwest of Liverpool city centre, as seen in the following figure.





**Figure 8: Edmondson Park South in red dashed line, with route to Liverpool CBD in yellow dashed line.**

## 2.5 Site affectations

The site is affected by the following:

- Bushfire Prone Land (Vegetation Category 1 and Vegetation Buffer);
- Moderate Salinity Potential;
- Native Vegetation;
- Land Acquisition;
- Heritage; and
- Road and Rail Noise from the South West Rail Line and Campbelltown Road.

### 2.5.1 Bushfire Prone Land

The subject site is identified on Council's mapping system as being partly affected by Bushfire Prone Land (Vegetation Category 1 and Vegetation Buffer).

The application was referred to the NSW Rural Fire Service (RFS) as part of the assessment of the application and as per Section 4.46 of the Act, for Integrated Development. The NSW RFS provided general terms of approval for the construction of RP1 – Stage 1. Accordingly, the proposal is considered acceptable with regards to the bushfire affectation onsite.

### 2.5.2 Salinity

The subject site is identified on Council's mapping system as being affected by moderate salinity potential. Appropriate conditions will be imposed on the subject application in order to mitigate the effects of salinity soils at the site during the construction stages.

### **2.5.3 Native Vegetation**

The subject site is identified on Council's mapping system as containing significant native vegetation. However, this is limited to land reserved for Bernera Road that does not encroach into the developable area, RP1 – Stage 1 and does not form part of this application.

It should be noted that DA-628/2016, approved by the JRPP on the 13 March 2017, allowed the removal of vegetation at the site, inclusive of land within RP1 – Stage 1. Accordingly, there will be no vegetation removal as part of the subject application.

### **2.5.4 Land Acquisition**

The subject site is identified on Council's mapping system as being affected by Land Acquisition. This is limited to Bernera Road and Campbelltown Road and does not encroach into the developable area, RP1 – Stage 1.

### **2.5.5 Heritage**

At the time that the Concept Plan for Edmondson Park South was approved by the Planning and Assessment Commission (PAC), three buildings were heritage listed onsite. These buildings formed part of the 'Ingleburn Village' site and were known as Riley Newsum Prefabricated cottages. These buildings were approved to be demolished by Liverpool Council under DA-595/2014. See Section 2.6.3 of this report for further details on DA-595/2014.

Although these buildings are still listed as Item Number 3, local heritage items under the State Environmental Planning Policy (State Significant Precincts) 2005, they were demolished in accordance with DA-595/2014 and are no longer at the site. Council's heritage advisor has provided the following comments with regards to heritage considerations for the subject application:

*"The item was removed as a part of the initial development works within the Edmondson Precinct, with no evidence of the structures remaining on site.*

*Despite the development being approved by Planning and Infrastructure NSW, the item was not removed from the SEPP once the demolition was approved.*

*I have no objections to the development and state that the development will not impact on any listed heritage item."*

Accordingly, the development is considered acceptable with regards to heritage matters.

### **2.5.6 Road and Rail Noise**

The subject site is identified on Council's mapping system as being affected by both rail and road noise. Rail noise affecting the site comes from the South West Rail line and will not affect RP1 – Stage 1. Road noise affecting the site is from Campbelltown Road and will impact approximately half of RP1 – Stage 1. Accordingly, noise attenuation measures will be required to be incorporated into the building design for RP1 – Stage 1 and are recommended to be imposed as conditions.

## **2.6 Site History**

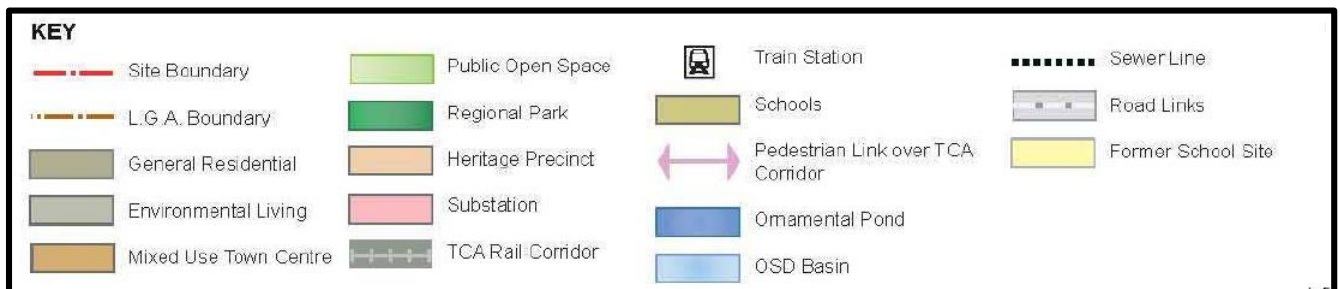
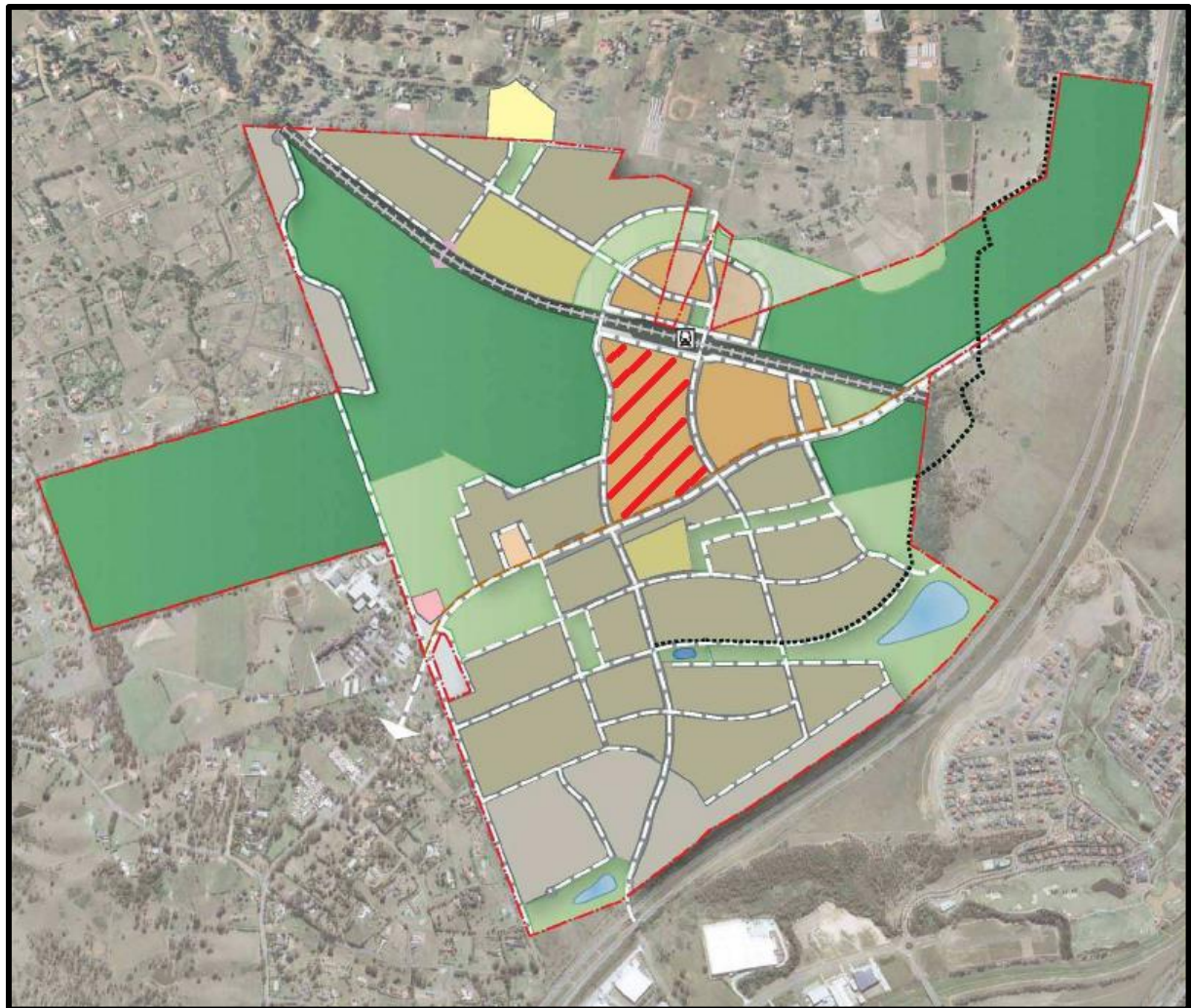
### **2.6.1 Concept Approval**

In March 2010, Landcom (formerly UrbanGrowth NSW) lodged a Concept Plan (MP 10\_0118) and concurrent Project Application (MP 10\_0119) for the development of Edmondson Park South. The area subject to the approval is located in both Liverpool and Campbelltown LGA's. The Concept Plan was approved by the PAC on 18 August 2011 and provides for a development over approximately 413 hectares comprising:

- residential development of 3,530 dwellings;
- development of the Edmondson Park Town Centre including 35,000-45,000m<sup>2</sup> of retail, business and commercial floor space, along with associated uses, including a single 'landmark development' of up to 30 metres in height within 300 metres of the proposed station;
- protection of approximately 150 hectares of conservation lands within regional parklands;
- upgrade of Campbelltown Road with a maximum road width of 38.8 metres, and construction of three signalised intersections with Campbelltown Road;
- a temporary sales and information office and temporary signage associated with the sale of land;
- site remediation works;
- demolition of a number of existing buildings across the site; and
- associated infrastructure.

The following figure is the approved concept plan for the Edmondson Park South precinct.





**Figure 9: Edmondson Park South Concept Approval, with legend and subject site dashed in red.**

## 2.6.2 Modification 4 of Concept Approval

In August 2014 Landcom initiated a sale process to select a preferred tenderer to purchase and develop the future mixed use town centre site at Edmondson Park. As a result of this process in August 2015, Landcom confirmed that Frasers (formerly Australand), had been awarded the tender for the purchase and development of the Town Centre south of the railway line.

In March 2016 Frasers lodged a Section 75W Modification to the Concept Plan (MP 10\_0118 MOD 4) to incorporate the concepts of the tender process with a number of changes to the built form and public domain outcome for the site. The area subject to MOD 4 is known as Fraser Town Centre (FTC). MOD 4 was approved by the PAC on 12 October 2017. The following figure demonstrates the PAC approved Illustrative Structure Plan for FTC.



**Figure 10: Illustrative Structure Plan for FTC with RP1 – Stage 1 dashed in red.**

The key components of MOD 4 to the Concept Plan with regards to FTC are:

- Providing a maximum GFA limit for the Town Centre Core;
- Increasing the maximum building heights in the Town Centre Core;
- Increasing the approximate number of dwellings from 912 to 1884;
- Revising the road network and hierarchy;
- Introducing maximum car parking rates;
- Creation of the Edmondson Park Frasers Town Centre Public Domain Plan to guide the future design of the public domain; and
- Formulation of the Edmondson Park Frasers Town Centre Design Guidelines.

For the entire Edmondson Park South concept approval area, MOD 4 has resulted in an increase in the total number of dwellings from 3,530 to 4,502. Within the area known as the FTC specifically, the amount of dwellings has increased from 912 to 1884.

The subject development application seeks consent to carry out RP1 – Stage 1 in accordance with MOD 4.

### 2.6.3 Development Application History Onsite

DA/ Applicant	Determination	Description	Status Onsite
595/2017	Approved under delegated authority, 28 October 2014	Demolition of three heritage listed cottages	Complete

621/2016 Fraser's	Approved under delegated authority, 30 January 2017	Construction and operation of an exhibition village containing display homes, ancillary sales and marketing suite and café and associated civil works including road construction within RP1.	Complete and Open
628/2016 Fraser's	Approved by South West Sydney Planning Panel, at its meeting of 13 March 2017	Clearing of vegetation, bulk earthworks, temporary stormwater and drainage works and removal of services across the entire FTC.	Works Complete
925/2016 Australand Residential	Approved under delegated authority, 30 August 2017	Site clearing and excavation for Edmondson Park Town Centre (Land 20m south of Henderson road and the southern commuter carpark only)	Works Complete
1260/2016 Fraser's	Approved under delegated authority, 26 February 2018	Construction of roads and site infrastructure, landscaping works, public domain improvements and the subdivision of land for the creation of roads within FTC on the western side of Soldiers Parade.	Works started
583/2017 Australand Residential	Approved under delegated authority, 18 May 2018	Construction of Neighbourhood St, Local Street 7 & 9, Local Street 4 and Road 2, earthwork benching of development lots and future Mews, stormwater drainage, subdivision of new roads, eleven Torrens Title lots, landscaping and public domain improvements within RP1.	CC being sought
767/2017 Fraser's	N/A	Creation of eastern portion of the mixed use town centre core.	N/A

### 3. BACKGROUND

#### 3.1 Sydney Western City Planning Panel Briefing

A briefing was held on 13 November 2017 with the Sydney Western City Planning Panel. The panel requested that the following issues be addressed in the assessment of the application:

Panel Comment	Applicant Response	Assessing Planner Response
Unit mix to be increased, 2 bedroom compared to 1 bedroom  Proposed mix is: 20 x 1 bedroom, 12 x 2 bedroom, 55 x 3 bedroom	<i>It is expected that families that require multiple bedrooms would prefer to live in the Residential Precinct rather than in apartments in the Town Centre Core. Accordingly this is reflected in the dwelling mix for the residential precinct (1-3) which, once completed across all three precincts will deliver 21% one bedroom, 18% two bedroom, 57% three bedroom and 4% four bedroom dwellings.</i>	The applicant has not changed the dwelling mix since the briefing meeting.  The residential precincts will be supported by the creation of the town centre core, which includes the erection of six RFB's containing 427 apartments.



<p>and 9 x 4 bedroom.</p>	<p><i>The dwelling mix for the Town Centre East DA provides 36% one bedroom, 59% three bedroom and 5% three bedroom dwellings. There is a larger proportion of one and two bedroom dwellings in the Town Centre reflecting the high density nature of the Town Centre close to the train station which will likely appeal to singles and couples or smaller families who do not require multiple bedrooms.</i></p> <p><i>When considering development of the entire Town Centre the proportion of dwellings is generally more balanced overall with 29% one bedroom, 40% two bedroom, 30% three bedroom and 2% four bedroom dwellings. It is noted that beyond the Town Centre itself there is substantial development for traditional detached housing under way or proposed for those families that prefer this type of housing, including many four and even five bedroom dwellings.</i></p> <p><i>The proposed dwelling mix and dwelling typology provides an appropriate transition in density from the train station, consistent with strategic findings of the Department and PAC in its approval of the Concept Plan.</i></p>	<p>Considering the development of the entire FTC, the proposed dwelling mix within RP1 – Stage 1 is considered acceptable.</p>
<p>Private open space (podium), useability of space, visual privacy, acoustics</p>	<p><i>Fraser's has delivered a variety of private open spaces including a front garden, courtyard and multiple balconies that greatly exceed the requirements of the Design Guidelines... Indeed, each dwelling achieves a quantum of private open space that is appropriate and adequate for the urban locality that Edmondson Park is designated to become; is far in excess of the requirements of the ADG and (whilst not relevant to this DA) is consistent with the design guidance for Private Open Space under the Draft Medium Density Design Guide.</i></p> <p><i>The minimum area provided by the design for any one bedroom apartment is 80% greater than the minimum required by the design solution- some dwellings achieve even greater private open spaces again. The minimum area provided by the design for two bedroom homes is 158% greater than required by the design solution and three bedroom apartments is 126% - 353% greater than the minimum required by the design solution.</i></p> <p><i>Therefore the private open space afforded by each home is adequate achieving 18-20sqm of open space for one bedroom homes, 31sqm for two bedroom homes and between 34-68sqm for three bedroom homes.</i></p> <p><u>Arbor Planting:</u></p>	<p>The applicant has amended the design of the podium POS areas to include additional landscaping that will provide additional visual and acoustic screening to and from these areas. This landscaping choice and design has been supported by Council's DEP.</p> <p>The applicant has added screening to third storey rear facing windows to limit direct overlooking from this level to the podium POS areas.</p> <p>The applicant has designed the podium POS to be compliant and in exceedance of the design guidelines minimum areas. The applicant has amended the plans to show outdoor furniture within these spaces to demonstrate functionality.</p> <p>Council's DEP have not objected to the useability of these spaces. The DEP considered the visual and acoustic amenity of these spaces to be acceptable considering the applicant is providing a hybrid dwelling typology.</p> <p>Accordingly, the POS areas associated with the town homes, in</p>

	<p><i>Solanum jasminoides</i> to arbor structures providing a natural flowering privacy screen to the rear courtyards.</p> <p><u>Additional Tree Planting:</u> A combination of <i>Magnolia Grandiflora</i> 'Teddy Bear' and <i>Pittosporum Tenuifolium</i> 'Silver Screen' added to void spaces between arbors to provide increased privacy to the rear courtyards.</p>	<p>terms of useability and visual and acoustic privacy are considered acceptable.</p>
<p>Adequacy of landscaping and deep soil distribution for acoustic and visual privacy</p>	<p><i>The residential public domain has been designed to ensure a high level of landscape permeability. All landscaped public domain areas including street verges, landscaped mews and parks are on deep soil and aim to utilise pervious materials where appropriate.</i></p> <p><i>Ground floor private open spaces provide a minimum of 40% soft scape. Rear private open spaces, on structure include planter boxes to a minimum 600mm panting depth. Planting within the public domain open spaces and streets provide amenity to shade, assist with urban heat island affect and reinforce street legibility while reflecting the site's unique natural landscape setting and site history.</i></p> <p><i>Public streets and mews are lined with spacing suitable to tree canopy widths, providing shaded connections throughout the site. Verge widths and tree soil volumes have been designed to accommodate tree species allocated.</i></p> <p><i>Frasers are happy to replace the species in the courtyard planter of the Townhomes to a tree species that will grow to provide greater canopy and vegetative screening. This will also assist in addressing the heat island effect.</i></p>	<p>The applicant has amended the design of the podium POS areas to include additional landscaping that will provide additional visual and acoustic screening to and from these areas. This landscaping choice and design within the podium POS has been supported by Council's DEP.</p> <p>Council's DEP also recommended that Frasers Property conducts on-going monitoring following occupation of the dwellings to ensure the buildings including the landscaping are being satisfactorily maintained in perpetuity. This is recommended as a condition of consent.</p> <p>The applicant has confirmed that, "Over 50% of the Association Property (Pocket Parks, Gateway Park, Local Park, Communal Open Space and Mews) will have Mature Tree Canopy Coverage. Continuous canopy coverage is provided in many areas; excluding at traffic intersections/crossovers where sight lines for safety reasons are maintained."</p> <p>Council's Tree Officer has reviewed the proposed landscape plans and supports the selection and arrangement onsite</p> <p>Accordingly, the proposal is considered acceptable with regards to adequacy of landscaping for providing good amenity outcomes onsite.</p>

<p>Consideration be given to traditional terrace design with basement parking provision</p> <p>Building typologies, style of town homes creates complex spaces and complex integration of dwellings</p> <p>Utility of layered household arrangement</p>	<p><i>The housing typology is a simple arrangement that provides entry from the street and car park for every dwelling. The Design Guidelines require provision of a variety of single level and multiple level dwellings with 1 bedroom to 4 bedroom dwellings. Traditional terrace housing would be non-compliant with the Design Guidelines in this respect and therefore inconsistent with the Concept Plan.</i></p> <p><i>A key component of the Urban Growth bid and consideration of the Department in approving the Concept Plan was to locate appropriate density surrounding the railway station. The proposed Townhome product will deliver appropriate medium density housing in the residential precincts with high levels of amenity, within development and in the surrounding public domain.</i></p>	<p>Council's DEP have investigated the proposed building typology known as the 'town homes' through assessment of plans and a site visit to the 1:1 prototype onsite. The DEP supports this proposed typology.</p> <p>As a result of the assessment of the DA the layering and integration of dwellings in the 'town home' arrangement is considered acceptable as it does not detract from the legibility of the streetscape or the functionality of the residential blocks proposed. The proposed layered design is considered to provide additional streetscape surveillance beyond a traditional terrace with a basement parking arrangement.</p>
<p>Compliance with Design guidelines</p>	<p><i>The DA fully complies with the Design Guidelines as provided at <b>Appendix Z</b> of the SEE.</i></p>	<p>The DA is compliant with a majority of the design guide component, except with regards to dwelling width.</p> <p>The applicant has provided a commitment with regards to dwelling widths which is discussed further in this report, see Section 6.3 and Attachment No.7.</p> <p>The DA is considered acceptable with regards to the design guidelines.</p>
<p>At grade parking creates accessibility, ventilation and functionality concerns</p>	<p><i>The at-grade parking is a defining feature of the Townhome product approved by the Department and PAC and inclusion of a basement would be a contravention of the Concept Plan.</i></p> <p><i>Nonetheless, provision of a basement beneath each town home typology would have a significant impact to the affordability of homes. Frasers are committed under the Concept Plan to delivering dwellings within a range of price points within the Residential Precinct, including 15% of dwellings suitable for purchase as moderate-income housing (defined as 80% to 120% of the average income across NSW). This is commitment 71A of the Statement of Commitments. Excavation works to form a basement would add unacceptable costs to the project as this cost would raise the purchase price for each dwelling and prevent delivery of affordable homes in this key location.</i></p> <p><i>Further, if basements were provided, and the rear private open space was relocated to ground level, it would not be possible to deliver the approved townhome residential typology of dwellings above the ground level dwellings, as they would</i></p>	<p>The at-grade parking arrangement has been proposed in order to facilitate the statement of commitments required of the developer, as per the PAC approval of MOD 4. The developer is required to provide affordable dwellings as per the statement of commitments and the developer has argued that providing basement parking onsite would compromise their ability to reach their commitments.</p> <p>The applicant has noted that the parking areas associated with the town homes will be naturally ventilated. These parking areas have been designed to provide screening at either end of each block to allow the flow of air through the parking areas. Also, the applicant has amended their DA to include mechanical ventilation for all ground floor town home dwellings to ensure they have adequate air flow.</p>



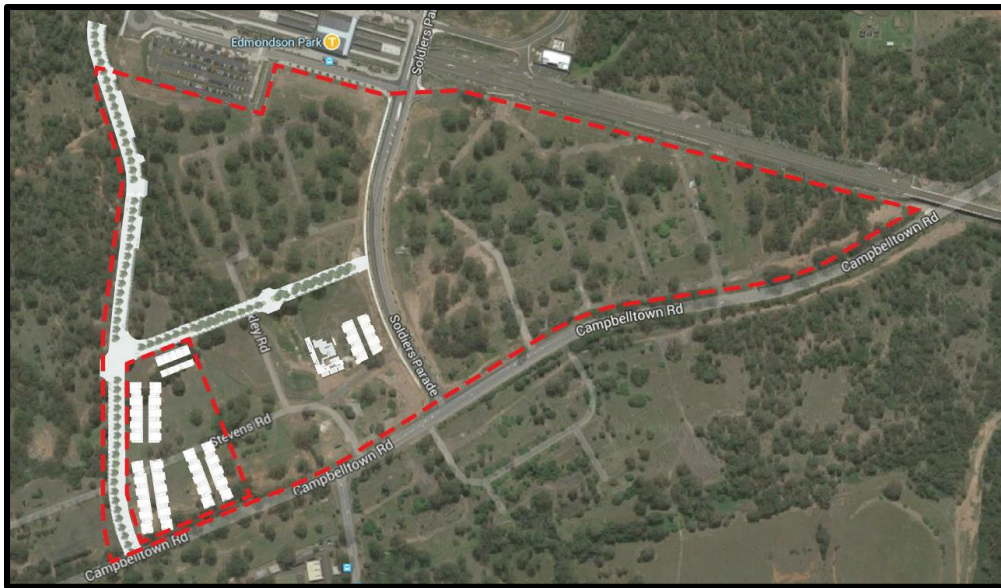
	<p><i>not have access to appropriate private open space as the remaining space would be shared between all dwellings, including those at ground level. Alternatively, the ground level dwellings could be removed, however this would then reduce the density of the residential precincts which would undermine the intent of the Concept Plan, to achieve an appropriate density and transition in scale from the Town Centre Core to the lower density residential beyond, and would prevent the achievement of the required density in Commitment 12 of the Concept Plan.</i></p> <p><i>In addition, inclusion of a basement car park would necessitate inclusion of a stairwell to the ground level which would prevent delivery of silver level universal design dwellings within the product.</i></p>	<p>Council's DEP are now supportive of the design of the town homes area hybrid dwelling typology, however, have requested mechanical ventilation and acoustic treating of the ground floor dwellings due to their direct relationship with the at-grade parking areas. This is recommended as conditions of consent.</p> <p>Accordingly, the development is considered acceptable with regards to the at-grade parking areas associated with the town home dwellings.</p>
Lack of deep soil zones	<p><i>Within development blocks deep soil is provided to 21% of Mews, 25% of parks, 30% of street verges and 42% of the Campbelltown Road landscape buffer. Within strata development blocks 6.5– 9% of land area is deep soil. This DA (Stage 1) delivers 7.5% deep soil area within the strata development blocks.</i></p>	<p>In accordance with the percentages of deep soil areas noted in the applicant's comments, the proposed deep soil areas within RP1 – Stage 1 are considered acceptable.</p> <p>It should be noted that there are no deep soil area numerical standards provided in the FTC design guidelines.</p>
Car parking - on-street parking effect on amenity of mews	<p><i>The layout, function and role of the Mews is established by the Concept Plan, Design Guidelines and Public Domain Plan, which the DA complies. Amendment of the Mews would not be compliant with the Concept Plan.</i></p> <p><i>It is proposed that the Mews visitor parking will have a 2 hour time limit from 7am -8pm. Frasers is happy to work with Council to investigate the option for Council to monitor / ensure compliance with the parking hours.</i></p>	<p>The Mews have been approved as shared pedestrian and vehicle zones as per MOD 4. Mews No.3 is 66m long and has been designed to be limited to 6 parking spaces – 1 space per 20m on either side of the Mews. Council's traffic engineers have raised no objection to the parking of vehicles within the Mews from a safety or manoeuvrability perspective.</p> <p>Council's DEP initially were of the opinion that parking should be omitted from the Mews but after discussion with the applicant they withdrew this point on the provision that park benches and pedestrian activity was prioritised within this area. The applicant has proposed the Mews with different surface treatment to the local road network to ensure a clear visual demarcation between vehicle and pedestrian dominant environments.</p> <p>Accordingly, the provision of a limited amount of parking within Mews No.3 is considered acceptable.</p>
Separation distances	<p><i>The townhome residential typology is effectively a hybrid between residential flat buildings and</i></p>	<p>The applicant has amended the application to provide 8.2m-9.7m</p>

between opposite facing townhouses and private open space	<p><i>townhouses, which achieves increased density without scale. It is therefore not appropriate to set the same amenity standards for these dwelling as typical town houses, which is why the Design Guidelines were prepared with their own specific performance criteria and design solutions for the typology.</i></p> <p><i>Amendment to the separation distances, including increasing them beyond the requirements of the Design Guidelines would be a contravention of the Concept Plan and prevent Frasers delivering the yield and housing (including affordable housing) at the density approved and required by the Concept Plan.</i></p>	<p>separation between rear facing town homes. The design guidelines require 8m. The proposed separation coupled with added privacy screening to third storey windows and the inclusion of arbours and additional planting within the podium POS areas is considered to address impacts to future occupant amenity between dwellings and areas of podium POS.</p> <p>Council's DEP have supported the amended design and the separation between the buildings.</p> <p>Accordingly, the separation distance between rear facing town homes is considered acceptable.</p>
Community title spaces (Mews), effect on future occupants costs	<p><i>Housing in the Residential Precinct has limited common property to maintain and upkeep compared to other developments that may include multiple lifts, pool facilities and the like. The only common property within the Residential Precinct is the mews, community parks and car parks. These facilities have a very long life span through their design and material selection and minimal ongoing maintenance that would be shared between a large population.</i></p> <p><i>Frasers are in the process of developing maintenance budgets that includes upkeep of the Mews. Strata fees will be available to prospective buyers as part of the sales process and these are expected to be relatively low considering the high-quality environments available to residents of the Precinct.</i></p>	<p>The applicant has not amended the application with regards to the Community title spaces.</p> <p>The applicant has not provided estimate figures for strata fees associated with living in RP1 – Stage 1. Accordingly, it is unclear what the financial effect on future occupants will be.</p> <p>The applicant's comments are noted.</p>

As per the table above, the proposed development is considered acceptable with regards to the concerns raised by the SWCPP at the November 2017 briefing meeting. The applicants responses above are excerpts from their written response, dated 1 February 2018. See Attachment No.6 of this report for the applicant's full response.

#### 4. DETAILS OF THE PROPOSAL

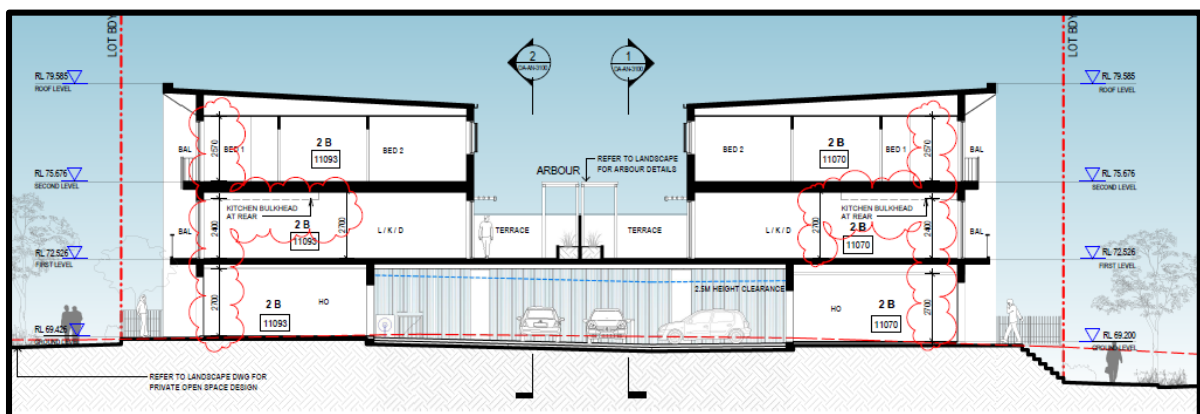
Development consent is sought for the construction of RP1 – Stage 1 at the subject site. RP1 – Stage 1 will introduce medium density housing within the developable area through the creation of four residential blocks, parks, landscaped areas and a Mews. No road construction is proposed as they were approved under DA-583/2017. The proposal has been overlayed on an aerial photo of the site for context, as shown in the following figure:



**Figure 10: Proposed residential blocks, in white, within RP1 – Stage 1.**

### Dwellings:

- Construction of one-hundred and four (104) dwellings in the form of townhomes, terraces and studios over four residential blocks. The blocks are identified as: A-North, A-South, B and T-A, see Figure 13 below.
- The proposed block lengths are (approximately): A-North – 68m, A-South – 83m, B – 70m and T-A – 32m.
- The dwelling typology mix within RP1 – Stage 1 includes ninety-six (96) townhomes, four (4) terraces and four (4) studio dwellings.
- Townhomes have been designed as two rows of back to back three storey buildings, with at-grade parking underneath first floor central courtyards (see figure 11). The townhomes are not straight up from ground level like in a traditional terrace housing arrangement and intricately overlap one another. Single townhomes occupy only the ground level while 2, 3 and 4 bedroom townhomes extend from the ground levels to the third stories. Townhomes are proposed on blocks A-North, A-South and B only.



**Figure 11: Typical cross-section of townhomes with at-grade parking and POS above.**

- The townhomes proposed across the site will provide the following bedroom mix: 20 x 1 bedroom, 12 x 2 bedroom, 55 x 3 bedroom and 9 x 4 bedroom.
- The terraces and studios have been designed as two storey structures and are limited to block T-A only. The terraces have been designed to address Greenway with their main pedestrian access from this frontage. Vehicle access and parking is proposed at the rear from Local Street 7, in the form of ground floor single garages. Studios are situated at the first level addressing Local Street 7 and located above their own single garages and the terrace garages. Terraces will have ground floor private open space (POS) located between the terrace building and the garages and studios have POS in the form of balconies that will address Local Street 7 (see figure 12).
- All terraces are proposed as 3 bedroom dwellings and all studios are all proposed as 1 bedroom dwellings.
- All dwellings have been designed to reflect a consistent modern architectural style, utilising a mix of cladding panels, face brick and aluminium profiling based on neutral tones. The colour palette is consistent within blocks A-North and B-South, utilising whites and dark greys, while blocks B and T-A share a colour palette of earthy tones, utilising whites and various shades of brown and warm greys.

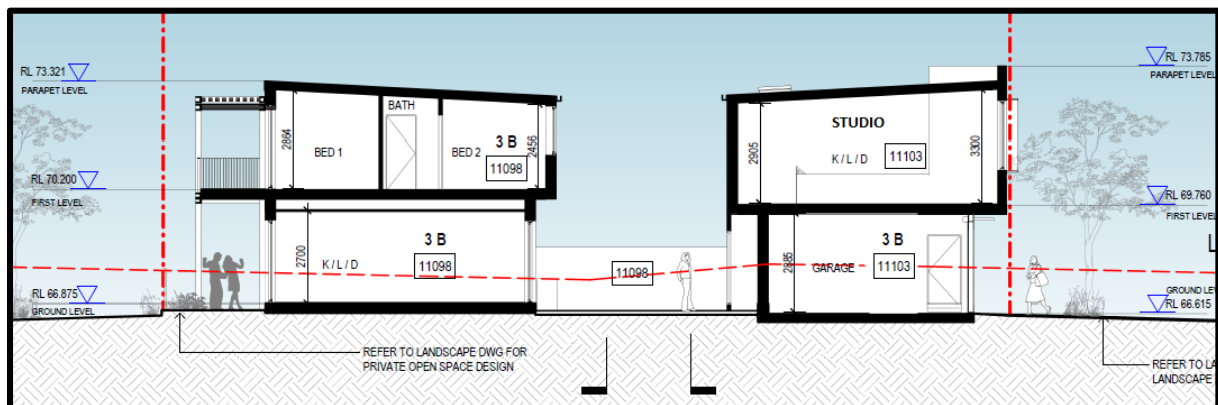
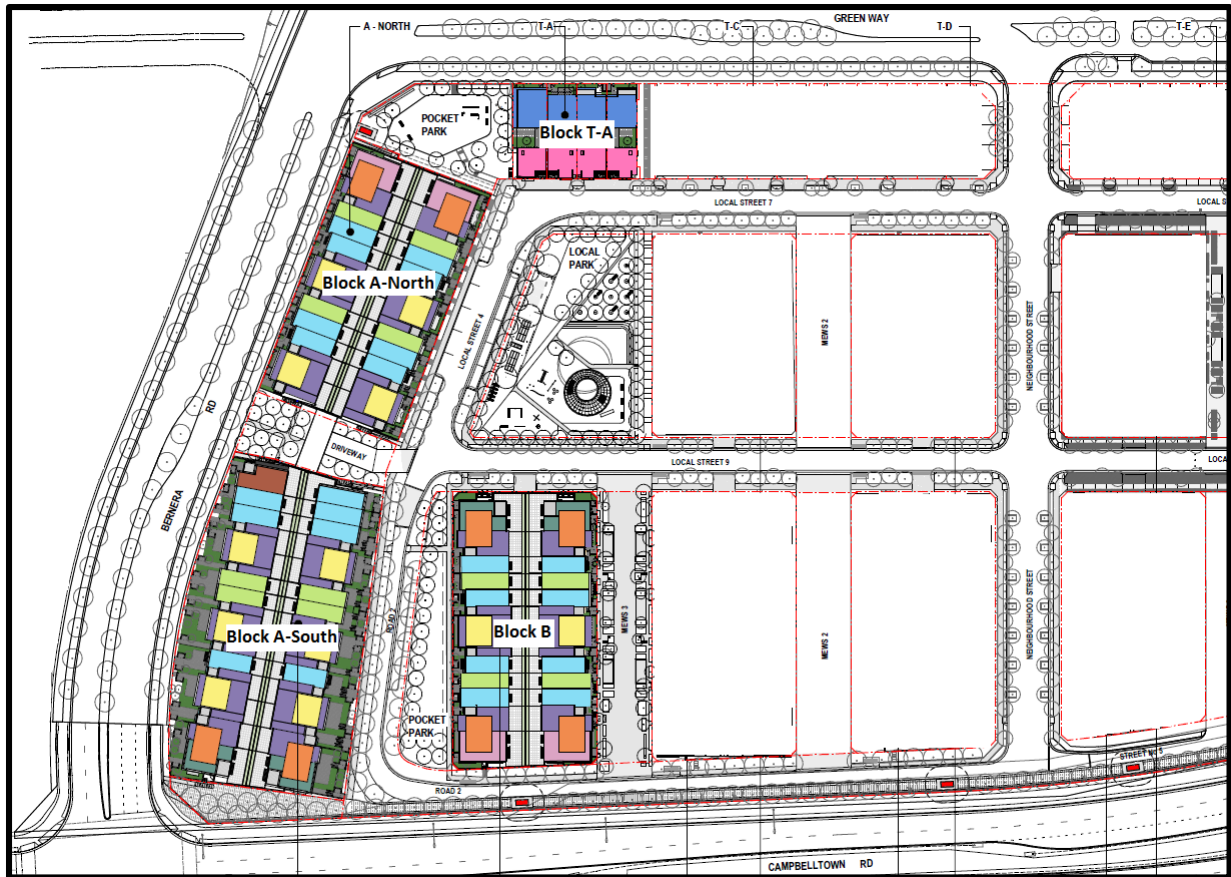


Figure 12: Typical cross-section of townhomes with at-grade parking and POS above.





**Figure 13: RP1 – Stage 1 site plan.**

#### Vehicle Management:

- The proposal includes the construction of Mews No.3. A Mews is a shared pedestrian and vehicle zone to which some townhomes have been designed to address where they have no frontage to local streets. RP1 – Stage 1 includes the use of Mews No.3, which is located east of block B, as indicated in Figure 13 above. Mews No.3 is 14m wide and includes six (6) on-street parking spaces, trees and landscaping and park benches (see figure 14). The Mews have been designed to have differing surface treatment to local streets so there is a visual demarcation between roads and the shared pedestrian environment.



**Figure 14: Artist impression of the Mews**

- The development proposes a total of one-hundred and sixty-eight (168) covered parking spaces in the form of private garages and shared at-grade parking areas. Private garages are limited to single garages and serve the terraces and studio dwellings only. At-grade, shared and covered parking is provided at the rear of the townhomes for blocks A-North, A-South and B. The parking areas for blocks A-North and A-South have a shared driveway access from Local Street 4. The parking area for block B has driveway access from Local Street 9.
- The development proposes four (4) uncovered stacked parking spaces for each of the terrace dwellings in block T-A. These stacked spaces are located within the POS areas for these dwellings with access from Local Street 7 through the single garages.

Public Domain:

- Creation of three (3) parks across the developable area, including 'local park', 'gateway park' and a pocket park. Local Park is located east of block A-North, Gateway Park is located at the intersection of Bernera Road and Greenway, and the pocket park is located between Road 2 and block B-South (see Figure 13).
- Local Park is approximately 1930m<sup>2</sup> and will be fenced and gated for access by residents of RP1 only. This park has been designed as an active recreational space and will include a playground with play equipment and water play features, an exercise station, barbeque and picnic bench facilities, toilets, a picnic lawn, pathways and landscaped areas. Some existing mature trees have been retained within this part of the site and have been incorporated into the park design.
- Gateway Park is approximately 790m<sup>2</sup> and will be open to the public as it will provide pedestrian access from Bernera Road and Greenway into RP1. This park has been

designed as an active recreational space with an exercise station, park benches, pathways and landscaped areas. Some existing mature trees have been retained within this part of the site and have been incorporated into the park design.

- Pocket Park is approximately 740m<sup>2</sup> and will provide pedestrian pathways for the west facing townhomes of block B from Road 2 and Local Street 9. This park will provide landscape areas and no passive recreational use.
- A pedestrian pathway connecting Greenway to Local Street 7 is proposed adjoining and on the eastern side of block T-A. This space has an area of approximately 90m<sup>2</sup>.
- A landscaped area associated with the driveway to blocks A-North and A-South is proposed. This landscaped area will provide pedestrian access from Bernera Road to Local Street 7 and Road 2. This space has an area of approximately 530m<sup>2</sup>.

#### Subdivision

- Community title subdivision of RP1 into fifteen lots is proposed. The Mews, parks and residential blocks will be provided as community allotments.
- Block T-A will be strata subdivided to allow the terraces and studios, and their respective garages, to be on separate titles.

#### Services and Infrastructure:

- Services such as water and sewer, electricity, telecommunications and gas were designed and approved for RP1 under DA-583/2017. Accordingly, the subject proposal will involve connection to those services.
- The location of substations across RP1 were approved as per DA-583/2017 and do not form part of this application. All drainage works for RP1 have been designed and approved as per DA-583/2017 and do not form part of this application. The proposed dwellings, Mews and parks will connect into this drainage system.

## **5. STATUTORY CONSIDERATIONS**

### **5.1 Relevant matters for consideration**

The following Environmental Planning Instruments, Development Control Plans and Codes or Policies are relevant to this application:

#### Environmental Planning Instruments (EPI's)

- State Environmental Planning Policy No.55 – Remediation of Land.
- State Environmental Planning Policy (State and Regional Development) 2011.
- State Environmental Planning Policy (Infrastructure) 2007.
- State Environmental Planning Policy (State Significant Precincts) 2005, Schedule 3, Part 31 Edmondson Park South Site (SEPP 2005)

- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment.

#### Draft Environmental Planning Instruments

- No draft Environmental Planning Instruments apply to the site.

#### Other Plans and Policies

- Concept Plan Approval (MP10\_0118) – approved by the Planning Assessment Commission on 18 August 2011;
- Section 75W Modification of Concept Approval MP 10\_0118 MOD 4 (MOD 4)

#### Design Guidelines

- Edmondson Park South Frasers Town Centre Design Guidelines October 2017.

#### Contributions Plans

- Liverpool Contributions Plan (Edmondson Park) 2008 applies to the site.

### **5.2 Zoning**

The site is mostly zoned B4 – Mixed Use and partly SP2 – Local Road as per the SEPP 2005. However, the developable area, RP1 – Stage 1, is zoned B4 – Mixed Use only. The SP2 – Local Road zoning is applicable to land that is designated for the creation of Bernera Road connecting from Campbelltown Road to the South West Railway line. The subdivision of the Bernera Road portion of the site has been approved under DA-1260/2016 and at this stage has not been registered with the LPI as a separate allotment. The zoning applicable to RP1 – Stage 1 is demonstrated in the following figure, in the context of the adjoining land use zonings.



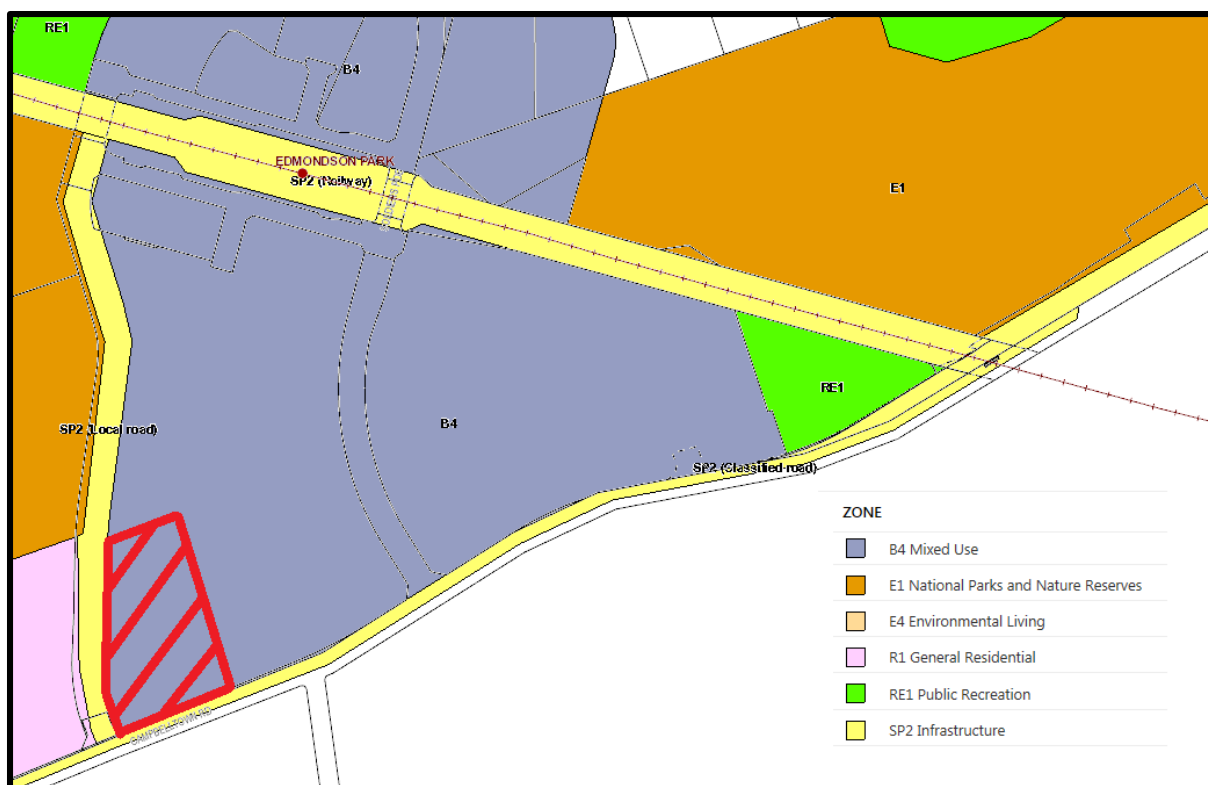


Figure 15: Zoning of the site, with RP1 – Stage 1 dashed in red. (Source: Geocortex)

### 5.3 Permissibility

As per the SEPP 2005, Clause 2, subclause (2), words and expressions applicable to Edmondson Park South have the same meaning as prescribed in the standard instrument. Accordingly, the proposed development is best described as ‘multi dwelling housing’ and ‘recreation area’.

‘Multi dwelling housing’ is defined as follows:

**“multi dwelling housing** means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

**Note.** Multi dwelling housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.”

Multi dwelling housing is listed as permitted in the zone with development consent.

‘Recreation area’ is defined as follows:

**“recreation area** means a place used for outdoor recreation that is normally open to the public, and includes:

- (a) a children’s playground, or
- (b) an area used for community sporting activities, or

*(c) a public park, reserve or garden or the like,*

*and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor)."*

Recreation areas are not listed as a development permitted without consent or prohibited development, thus are permitted in the zone with development consent.

#### **5.4 Zone Objectives**

The objectives of the B4 – Mixed Use zone are as follows:

*"(a) to provide a mixture of compatible land uses,*

*(b) to integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling."*

The proposed development, which involves the creation of medium density housing with associated parks, provides a mixture of compatible land uses at the site. The proposed will also allow the integration of medium density residential housing within walking distance to public transport, a future town centre and regional park land. Accordingly, RP1 – Stage 1 is considered to be consistent with the objectives of the B4 zone.

### **6. ASSESSMENT**

The development application has been assessed in accordance with the relevant matters of consideration prescribed by Section 4.15 of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000 as follows:

#### **6.1 Section 4.15(1)(a)(i) – Any Environmental Planning Instrument**

##### **a) State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)**

The objectives of SEPP 55 are:

- *to provide for a state wide planning approach to the remediation of contaminated land.*
- *to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.*

Pursuant to the SEPP, Council must consider:

- whether the land is contaminated.
- if the land is contaminated, whether it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the proposed use.

Council's Environmental Health Section has reviewed the DA in accordance with the provisions of SEPP 55 and provided the following comments:

*“DLA Environmental Services were engaged by Frasers Property to prepare a Remediation Action Plan (RAP) for the premises identified as Lot 1 Campbelltown Road, Edmondson Park. The purpose of the RAP is to set remediation goals and document the management procedures and environmental safeguards to be implemented to ensure the site will be rendered suitable for future land use.*

*The RAP was prepared in accordance with NSW EPA guidelines on contaminated sites and is not limited to the following:*

- Guidelines for consultants reporting on Contaminated Sites (NSW EPA, 2011);*
- Sampling Design Guidelines (EPA, 1995);*
- SEPP 55 – Planning Guidelines, Managing Contaminated Land.*

*DLA have provided a summary of previous investigations associated with the subject premises. As a result, Golder Associates were engaged to complement previous investigations undertaken at the site. The results of the investigation are broken down into three categories;*

**Chemical Contamination** – concentrations of heavy metals, hydrocarbons, pesticides and PHB within both fill and natural soils were complied with adopted assessment guidelines for both residential and commercial/industrial land uses.

**Asbestos Contamination** – ACM were identified at the surface in three (3) locations and within the fill material (an additional five locations). As a result, an asbestos quantification assessment was undertaken. All other areas of the site reported no detections of AF/FA in the samples submitted for analysis and are deemed suitable for the proposed land use.

**Construction/Demolition Rubble impacted fill materials** – Fill materials on site were identified to be primarily re-worked locally sourced clays with some areas impacted by building waste such as bricks and tiles.

*DLA have provided a list of remediation strategies and the preferred method of remediation is **excavation and off-site disposal**. Environment and health of Liverpool City Council raises no concern with the method of remediation. The RAP indicates that the remediation processes are to be undertaken in stages focusing on remediation hotspot areas and infrastructure containing asbestos materials. DLA reports that at the completion of the remediation activities, a validation report documenting the works as completed shall be prepared and submitted to the PCA. Furthermore, DLA concludes that the site can be made suitable for the intended land-use subsequent to implementation of the RAP.”*

Based on the above, it is concluded that the site is suitable for the proposed use and the provisions of SEPP 55 have therefore been satisfied.

## **b) State Environmental Planning Policy (Infrastructure) 2007**

In accordance with Clause 102 – Impact of road noise or vibration on non-road development of the Infrastructure SEPP 2007 a consent authority must take into consideration any guidelines regarding the impacts of road noise or vibration on residential accommodation.

The applicant submitted an acoustic assessment in support of the application and in order to address the provisions of the Infrastructure SEPP 2007. Council's Environmental Health section have assessed the submitted acoustic information and provided the following comments:

*"Wilkinson Murray Pty Ltd were engaged to review the acoustical design for the proposed residential precinct. The purpose of the assessment is to provide a prediction of future traffic noise levels at residential sites immediately adjacent to Campbelltown Road. The predictions have been utilised to determine the magnitude of potential traffic noise impact at the future residential properties along the road. This approach will allow traffic noise mitigation measures to be determined. These measures should be adopted for all building types proposed on the site.*

*The assessment was undertaken in accordance with NSW Infrastructure SEPP (2007) Development near rail corridors and busy roads – Interim Guideline and NSW Road Noise Policy. Noise modelling were conducted to predict future noise levels from road traffic, and it was revealed that noise levels at facades of future residences on roads exceed noise objectives for the day and night periods at future residences two buildings adjacent to Campbelltown Road. The noise assessment outlines that all windows facing the roadway, and some on facades at 90 degrees to Campbelltown Road, will require improved glazing and seals. In addition, entrance doors facing the roadways will require door seals and mechanical ventilation may be required.*

*Wilkinson & Murray have concluded in the noise assessment that the adoption of recommendations outlined in the report will ensure that identified properties will comply with acoustic requirements."*

In this regard, the proposal is considered to be consistent with Clause 102 – Impact of road noise or vibration on non-road development of the Infrastructure SEPP 2007 and conditions are recommended to be imposed to that affect.

**c) Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (deemed SEPP).**

The Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment generally aims to maintain and improve the water quality and river flows of the Georges River and its tributaries.

Drainage associated with the site has been approved as part of DA-583/2017 and does not form part of this application. Appropriate sedimentation and erosion controls shall be implemented during the construction process and this is recommended to be imposed as conditions of consent.

Accordingly, it is considered that the proposal satisfies the provisions of the GMREP No.2 and the development will have minimal impact on the Georges River Catchment.



**d) State Environmental Planning Policy (State Significant Precincts) 2005**

**Development Standards:**

The State Significant Precincts SEPP 2005 (Schedule 3, Part 31 Edmondson Park South Site) contains a number of development standards that are applicable to the subject DA. These standards are summarised as follows:

Clause	Provision	Comment
Clause 10 – Zone	Zone Objectives and Land Use Table	<b>Complies</b> The proposed multi dwelling housing and recreation areas are permissible with development consent in the B4 zone and are consistent with the objective of the zone.
Clause 16 – Subdivision	Land within the Edmondson Park South site may be subdivided, but only with development consent.	<b>Complies</b> Consent is sought for community title and strata subdivision at the site.
Clause 17 – Minimum subdivision lot size	This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.	<b>Noted</b> Consent is sought for community title and strata subdivision at the site.
Clause 18 – Height of buildings	The height of a building on any land within the Edmondson Park South site is not to exceed the maximum height shown for the land on the Height of Buildings Map.  Site affected by 24m height limit.	<b>Complies</b> Maximum 12.5m height proposed.
Clause 19 – Floor space ratio	The maximum floor space ratio of a building on any land within the Edmondson Park South site is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.  Site affected by 2.5:1 FSR.	<b>Complies</b> Block A-North: FSR = 1.22:1  Block A-South: FSR = 1.02:1  Block B: FSR = 1.25:1  Block T-A: FSR = 0.67:1  Total RP1 – Stage 1: FSR = 1.1:1
Clause 20 – Calculation of floor space ratio and site area	Sets out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios.	<b>Noted</b> FSR has been calculated in accordance with this clause.
Clause 23 – Demolition requires consent	The demolition of a building or work may be carried out only with consent.	<b>Not Applicable</b> Demolition not proposed.
Clause 26 – Flood Planning	To minimise the flood risk to life and property associated with the use of land.	<b>Not Applicable</b> Site not mapped as being flood affected.

	<p>To allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change.</p> <p>To avoid significant adverse impacts on flood behaviour and the environment.</p>	
Clause 31 – Preservation of Trees	Approvals required for tree removal.	<p><b>Not Applicable</b></p> <p>The Concept Plan along with the Biodiversity Certification Order and Edmondson Park Conservation Agreement set up the framework for the the clearance and retention of the existing trees within the developable area. Vegetation removal has already been approved as part of previous DA's for the site.</p>
Clause 32 – Native Vegetation areas	Requires the protection and management of native vegetation areas.	<p><b>Not Applicable</b></p> <p>No native vegetated areas within the developable area.</p>
Clause 33 – Heritage Conservation	Consent required to demolish heritage buildings or works.	<p><b>Noted</b></p> <p>There are no indigenous or non-indigenous heritage items within or located in proximity to the site. The Statement of Commitments establishes protocols to be followed in the event of unexpected finds.</p>
Clause 34 – Public Utility Infrastructure	Development consent must not be granted for development unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required	<p><b>Complies</b></p> <p>Sydney Water has confirmed the availability of water supply and sewer management.</p> <p>Endeavour Energy has confirmed the availability of electricity.</p>
Clause 36 – Development Control Plan	Development consent must not be granted for development on land within the Edmondson Park South site unless a development control plan has been prepared for the land.	<p><b>Not Applicable</b></p> <p>The Concept Plan in conjunction with the Frasers Town Centre Design Guidelines October 2017 makes the need for a separate DCP redundant.</p> <p>The Design Guidelines applies to the subject site and consideration of the Edmondson Park DCP 2012 will not be required within the Frasers Town Centre. (See Design Guidelines assessment below)</p>
Clause 37 – Relevant	The objective of clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will	<p><b>Not Applicable</b></p> <p>The proposal does not include works on land identified on the Land Acquisitions</p>

Acquisition Authority	be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired.	Map.
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As outlined in the above compliance table, the applicant has demonstrated that the proposed development is consistent with the provisions and development standards of SEPP (State Significant Precincts) 2005. Accordingly, the proposal is considered acceptable with regards to the provisions and development standards of SEPP (State Significant Precincts) 2005.

#### **e) State Environmental Planning Policy (State and Regional Development) 2011**

##### **Regionally significant development:**

In accordance with Schedule 7 of the State and Regional Development SEPP 2011, Clause 2, the proposed development is regionally significant development. Accordingly, the development has been referred to the Sydney Western City Planning Panel for determination.

##### **State significant development:**

As per Section 2.6.1 of this report, Concept Plan (MP 10\_0118) was approved to facilitate the development of Edmondson Park South as a mixed use town centre with supporting residential areas and parklands. This approval was made under Part 3A of the Act, which has now been repealed and superseded by the State and Regional Development SEPP 2011.

Any development within Edmondson Park South is required to be consistent with concept approval (MP 10\_0118). Notwithstanding this, MOD 4 of Concept Plan (MP 10\_0118), was approved by the PAC in October 2017. MOD 4 which sets the strategic direction for development within FTC.

Accordingly, the proposed development is required to be consistent with MOD 4. The details of MOD 4 are listed in Section 2.6.2 of this report. As per Figure 10 (Mater Plan for FTC), and the details of the proposal outlined in Section 4 of this report, RP1 – Stage 1 is considered to be consistent with MOD 4 and the concept approval for Edmondson Park South.

MOD 4 also includes an instrument of modification, which sets out the conditions of approval. The proposed development is considered to be consistent with the applicable conditions of approval for MOD 4. The instrument of modification is provided as Attachment No.9 of this report.

#### **6.2 Section 4.15(1)(a)(ii) - Any Draft Environmental Planning Instrument**

There are no draft Environmental Planning Instruments applies to the site.

#### **6.3 Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan**

The Concept Plan required amendments to Edmondson Park South Development Control Plan 2012 prior to the determination of any development applications for subdivision or development within the Town Centre. However, the need for amendments to the DCP was effectively superseded by Mod 4, which saw the introduction of a set of site specific design guidelines for FTC. These guidelines are known as the Edmondson Park FTC Design Guidelines, October 2017 (see Attachment 12 of this report).

Part 1 – Introduction of the guidelines sets out the purpose, structure and application of the document. Section 1.7 – Design Excellence ensures that Council's DEP are utilised to review all applications such as the subject DA. The subject application went to three DEP meetings, the first dated 9 November 2017, the second dated 22 February 2018 and the final dated 22 May 2018. Accordingly, the following assessment of Council's DEP final comments is provided as follows:

DEP Comment, dated 22 May 2018	Council Comment
The Panel thanks the proponent for providing a guided tour of the completed part of the 'Display Village' which helped the Panel appreciate the 1:1 scale prototype of the project. It also thanks the proponent for bringing the scheme back to the Panel for its consideration and the explanations on how the scheme has responded to the issues raised by the Panel.	Noted.
The Panel commends the new hybrid typology and the mix of dwelling sizes proposed. The Panel supports this new innovative housing type which provides a more "urban" solution to housing with a mix of housing sizes and occupancies.	Noted.
The Panel's previous concerns about the length of the block and the lack of breaks in the buildings have been reasonably addressed the Applicant, having regard to the deep recesses incorporated into the facade. The Applicant advised that the block length of the display village is approximately 58 metres long and the longest buildings proposed are about 80 metres long. The Panel recommends that the maximum length of blocks should no more than 80 metres so as to reduce the visual bulk and mass of the buildings.	Noted. A maximum of 80m block lengths shall be carried into the future stages and residential precincts.
Deep soil areas have not increased as previously recommended by the Panel. However, the Applicant has made the case that deep soil zones have been provided as part of the mews and community area of the overall project. The Panel suggests that additional tree canopy cover be provided and the trees be planted in pockets and the vegetation is to be in contiguous soils. The applicant shall quantify the extent of deep soil area provided for in this DA and ensure soil engineers are engaged to assist. (It is noted that the documentation provided indicated the extent of deep soil for each stage. The data for Stage 0 [the demonstration project] indicates a total area of 4000m <sup>2</sup> and a deep soil area of 360m <sup>2</sup> [9%] within the mews area.)	<p>The applicant has provided the following deep soil calculations for RP1 – Stage 1:</p> <p><i>Within development blocks deep soil is provided to 21% of Mews, 25% of parks, 30% of street verges and 42% of the Campbelltown Road landscape buffer. Within strata development blocks 6.5 – 9% of land area is deep soil. This DA (Stage 1) delivers 7.5% deep soil area within the strata development blocks.</i></p> <p>The proposed deep soil provision listed above is considered acceptable, especially in the context of the greater FTC, which includes local parks and adjoins a regional park.</p>
The scheme would contribute to heat loading due to the courtyards proposed over the at-grade carpark and there may be inadequate tree canopy cover provided within the courtyards. The prototype included planter boxes and proposed tree planting and this was assessed by the Panel as being satisfactory	Condition is recommended to be imposed that required strata laws that cover the maintenance and irrigation of planter boxes



provided Strata Plans cover the maintenance and irrigation is provided as noted by the consultants.	within the Town Homes podium POS areas.
The Panel was previously concerned that the spatial separation between opposite facing units was inadequate and previously recommended that the separation between buildings be increased to a minimum of 12 metres in order to address potential amenity issues. The Applicant advised that the separation between opposite facing units has been increased to 8.6-9.7 metres and sun shading and privacy screens have been introduced to the third floor bedroom windows to address privacy issues. The Panel has noted, after visiting the prototype that judicious placement of the arbours/pergolas within the courtyards and the sun shading/privacy screens proposed is a reasonable design solution in addressing privacy and the spatial separation between buildings and that the dimensions noted would appear to be satisfactory given the screening devices proposed.	Noted.
The public domain seats within the mews are supported as they are regarded as positive elements. These should be mandatory elements within all the mews.	Noted. Mews No.3 plans shows public seating within the mews, which is recommended as an approved document.
The Panel recommends that Frasers Property conducts on-going monitoring following occupation of the dwellings to ensure the buildings including the landscaping are being satisfactorily maintained in perpetuity.	Noted.
The new windows and balconies added to end dwellings to enhance presentation of the scheme are acceptable.	Noted.
The Panel recommends that Frasers Property commence discussions with Council in respect to garbage collection for the scheme.	<p>Garbage collection routes was assessed by Council's Traffic and Waste sections under DA-583/2017. Garbage collection vehicle analysis will be confirmed prior to the issue of a subdivision certificate for DA-583/2017.</p> <p>Council's Waste section supports the ground level waste storage area provided for each dwelling within RP1 – Stage 1.</p>
The Panel was previously advised by the Applicant that the units are a minimum of 4 metres wide internally. However, the drawings show some of the 2-bedroom units are only 3.7 metres wide internally. In the Panel's view, living rooms or combined living/dining rooms must have a minimum internal width of 4 metres for 2 and 3-bedroom units.	<p>A North Block:  Unit 11093 = 3.7m  Unit 11087 = 3.7m  Unit 11070 = 3.7m  Unit 11076 = 3.7m</p> <p>A South Block:  Unit 11037 = 3.7m  Unit 11038 = 3.7m  Unit 11060 = 3.7m  Unit 11059 = 3.7m</p>

	<p>B Block: Unit 11026 = 3.7m Unit 11005 = 3.7m Unit 11011 = 3.7m Unit 11020 = 3.7m</p> <p>The dwellings listed above are not consistent with the DEP's comment. Notwithstanding this, the dwelling widths for these units are considered acceptable for RP1 – Stage 1. See the discussion regarding dwelling widths below.</p>
The applicant should submit plans providing an open space analysis including an analysis of canopy tree cover for the development.	<p>Applicant has submitted plans showing an adequate provision of open space and canopy tree cover for RP1 – Stage 1. See Attachment No.10 of this report.</p> <p>The proposed parks and Mews No.3 provide more than 50% tree canopy cover and 7% cover within POS areas.</p> <p>The overall Deep soil zone within RP1, excluding street verges, is 14.6%, which is equivalent to 6,205m<sup>2</sup>.</p>
In the event that amended plans are submitted to Council to address the concerns of the Design Excellence Panel, the amended plans should be considered by Council.	Noted.

Based on the above table, it is considered that the proposed development is consistent with Council's DEP comments and Section 1.7 of the FTC Design Guidelines.

Part 2 – Vision and Principles of the FTC Design Guidelines identifies the overall outcomes for the development of FTC. The proposed development is considered to be consistent with the vision and principles outlined in the guidelines. Part 3 – Key Elements and Urban Structure of the guidelines provides the preferred layout of development at the site. The proposal is considered to be consistent with Part 3 of the guidelines. Part 5 – Residential Precinct Built Form Guidelines provides performance criteria and design solutions for built form in the residential precincts. The performance criteria and design solutions are supported by a series of elements and characteristics which guide development. The following table provides an assessment of proposal against those elements and characteristics:

FTC Design Guidelines – Table 3 - Town Homes		
Element	Control	Compliance
Building Height	3 stories	<b>Complies</b>

Front setback	Where at ground level, 3m minimum from the front boundary to front building façade	<b>Complies</b> A North Block – all dwellings provide minimum 3m front setback A South Block – all dwellings provide minimum 3m front setback B Block all dwellings provide minimum 3m front setback with the exception of Unit 11015, which provides 1.5m. This is due to a splay provided on the south-eastern corner Block B. Accordingly, the ground level setback to Unit 11015 is considered acceptable.
	Where above ground level, 2m minimum from the front boundary to front building façade	<b>Complies</b> <b>First Floor:</b> A North Block – all dwellings provide minimum 2m front setback A South Block – all dwellings provide minimum 2m front setback B Block – all dwellings provide minimum 2m front setback  <b>Second Floor:</b> A North Block – all dwellings provide minimum 2m front setback A South Block – all dwellings provide minimum 2m front setback B Block – all dwellings provide minimum 2m front setback
	An articulation zone may be established between the front setback to a distance of up to a minimum of 1m from the front boundary	<b>Complies</b> A North Block – all dwellings provide minimum 1m front setback for articulation zone A South Block – all dwellings provide minimum 1m front setback for articulation zone B Block – all dwellings provide minimum 1m front setback for articulation zone
Side Setback	Zero lot boundary	<b>Complies</b> Zero setback to side boundaries for all dwellings
Side Setback (corners)	Zero lot boundary	<b>Complies</b> Zero setback to side boundaries for all corner dwellings
Rear setback	Where above ground level, 3.5m minimum from the rear boundary to the wall of the dwelling	<b>Complies</b> A North Block – all dwellings provide minimum 3.5m rear setback

		<p>A South Block – all dwellings provide minimum 3.5m rear setback</p> <p>B Block – all dwellings provide minimum 3.5m rear setback</p>
Internal Separation	The minimum internal separation between windows facing across courtyards above car parking is 8m	<p><b>Complies</b></p> <p><b><u>First Floor:</u></b></p> <p>A North Block – all dwellings provide minimum 8m internal separation between windows</p> <p>A South Block – all dwellings provide minimum 8m internal separation between windows</p> <p>B Block – all dwellings provide minimum 8m internal separation between windows</p> <p><b><u>Second Floor:</u></b></p> <p>A North Block – all dwellings provide minimum 8m internal separation between windows</p> <p>A South Block – all dwellings provide minimum 8m internal separation between windows</p> <p>B Block – all dwellings provide minimum 8m internal separation between windows</p>
Landscaped Area	Single storey ground floor townhomes are to provide a minimum of 25% of the front courtyard space as landscaped area.	<p><b>Complies</b></p> <p>A North Block – all single storey dwellings have been amended to provide 25% of front courtyard as landscape area</p> <p>A South Block – all single storey dwellings have been amended to provide 25% of front courtyard as landscape area</p> <p>B Block – all single storey dwellings have been amended to provide 25% of front courtyard as landscape area</p>
	Upper level townhomes are to provide a minimum landscaped area of 1m <sup>2</sup> within their front entry courtyard; and	<p><b>Complies</b></p> <p>A North Block – all upper level dwellings have been amended to provide 1m<sup>2</sup> of front courtyard as landscape area</p> <p>A South Block – all upper level dwellings provide 1m<sup>2</sup> of front courtyard as landscape area</p> <p>B Block – all upper level dwellings provide 1m<sup>2</sup> of front courtyard as landscape area</p>
	a planter bed (on structure) with a minimum depth of 600mm along their rear courtyard boundary.	<p><b>Complies</b></p> <p>A North Block – all dwellings have a 600mm deep planter box along the rear courtyard boundary</p>



		<p>A South Block – all dwellings have a 600mm deep planter box along the rear courtyard boundary</p> <p>B Block – all dwellings have a 600mm deep planter box along the rear courtyard boundary</p>
Private open space	Where for a 1 bedroom dwelling, 10m <sup>2</sup> minimum area and 2.5m minimum dimension	<p><b>Complies</b></p> <p>All one bedroom units in all blocks comply with the 10m<sup>2</sup> and 2.5m dimensioned POS</p>
	Where for a 2 bedroom dwelling, 12m <sup>2</sup> minimum area and 2.5m minimum dimension	<p><b>Complies</b></p> <p>All two bedroom units in all blocks comply with the 12m<sup>2</sup> and 2.5m dimensioned POS</p>
	Where for a 3 bedroom dwelling, 15m <sup>2</sup> minimum area and 3m minimum dimension for courtyard and 2m minimum dimension for balconies	<p><b>Complies</b></p> <p>All three bedroom units in all blocks comply with the 15m<sup>2</sup> and 3m dimensioned POS</p> <p>All three bedroom units in all blocks comply with 2m dimensioned balconies</p>
	The primary private open space is to be accessed directly from living rooms	<p><b>Complies</b></p> <p>All units in all blocks provide primary POS directly from living areas.</p>
Garage	Access is provided via a common driveway at the rear of dwellings	<p><b>Complies</b></p> <p>All units in all blocks provide common driveways from the rear of dwellings.</p>
Solar Access	70% of dwellings (including townhomes and terraces, but excluding studio dwellings) within each Precinct receive at least 2 hours of sunlight between 9am and 3pm on 21 June to at least one living room or 50% of the primary private open space.	<p><b>Complies</b></p> <p>84% of dwellings within RP1 – Stage 1 receive solar access in accordance with this control</p>
Car parking	<p>1-2 Bedroom Dwellings 1 Space</p> <p>3-4 Bedroom Dwellings 2 Spaces</p> <p>Visitors Provided on-street within the Mews</p>	<p><b>Complies</b></p> <p>A North Block:</p> <p>All 1-2 bedroom dwellings have 1 car parking space and all 3-4 bedroom dwellings have 2 spaces</p> <p>B South Block:</p> <p>All 1-2 bedroom dwellings have 1 car parking space and all 3-4 bedroom dwellings have 2 spaces</p> <p>B Block:</p>

		<p>All 1-2 bedroom dwellings have 1 car parking space and all 3-4 bedroom dwellings have 2 spaces</p> <p>Visitor parking is provided in Mews No.3</p>
Bicycle Parking	No requirement if adequate space is provided in the dwelling, storage or parking area.	<p><b>Considered Acceptable</b></p> <p>All dwellings have been amended to include additional storage area and have sufficient room at the ground level to accommodate bicycle parking</p>
BASIX	<p>Minimum performance against BASIX Version 2.3 / Casurina_2_38_3:</p> <ul style="list-style-type: none"> <li>• Energy: minimum 66</li> <li>• Water: minimum 50</li> </ul>	<p><b>Complies</b></p> <p>Submitted BASIX certificates meet minimum energy and water targets.</p>
Architectural Diversity and Quality	Within a Precinct, architectural diversity and quality is achieved through articulation, modulation, roofscapes, variation in the types of dwelling modules, and use of materials, to create a unique but unified architectural language	<p><b>Complies</b></p> <p>Council's DEP has reviewed the town homes and support the design quality and architectural expression proposed by the applicant.</p>
Materiality	A variety of quality materials, such as timber, brick, and metal cladding should be used across Precincts to create variety, establish character and respond to the future context	<p><b>Complies</b></p> <p>Council's DEP has reviewed the town homes and supports the materiality of the project.</p>
Dwelling Size	<p>Dwellings are required to have the following minimum internal floor areas:</p> <ul style="list-style-type: none"> <li>• 1 bed 50m<sup>2</sup></li> <li>• 2 bed 75m<sup>2</sup></li> <li>• 3 bed 90m<sup>2</sup></li> </ul> <p>For each additional bedroom a further 12m<sup>2</sup> is required. The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m<sup>2</sup> each</p>	<p><b>Complies</b></p> <p>All dwellings in A North Block comply with the minimum area requirements</p> <p>All dwellings in A South Block comply with the minimum area requirements</p> <p>All dwellings in B Block comply with the minimum area requirements</p>
Dwelling width	Dwellings have a minimum width of 4m	<p><b>Considered Acceptable</b></p> <p>All dwellings in A North Block comply, with the exception of:</p> <p>Unit 11093 = 3.7m</p> <p>Unit 11087 = 3.7m</p>

		<p>Unit 11070 = 3.7m Unit 11076 = 3.7m</p> <p>All dwellings in A South Block comply, with the exception of: Unit 11037 = 3.7m Unit 11038 = 3.7m Unit 11060 = 3.7m Unit 11059 = 3.7m</p> <p>All dwellings in B Block comply, with the exception of: Unit 11026 = 3.7m Unit 11005 = 3.7m Unit 11011 = 3.7m Unit 11020 = 3.7m</p> <p>See the discussion after this table regarding dwelling widths.</p>
Bedroom size	One bedroom has a minimum area of 10m <sup>2</sup> and other bedrooms 9m <sup>2</sup> (excluding wardrobe space). Bedrooms have a minimum dimension of 3m (excluding wardrobe space)	<p><b>Considered Acceptable</b></p> <p>All bedrooms in A North Block meet the minimum area requirements</p> <p>All bedrooms in A South Block meet the minimum area requirements</p> <p>All bedrooms in B Block meet the minimum area requirements</p> <p>The initial assessment showed that a number of bedrooms within all blocks may not meet the minimum 3m dimension, with dimensions of 2.9x3m. The applicant was requested to provide bedroom dimensions on the plans for assessment purposes. This was not provided on any plans, however, advice from the applicant stated that the 3m dimension was provided. Accordingly, it is recommended that a condition is imposed 'prior to CC' that requires all bedrooms to indicate a minimum dimension of 3m excluding wardrobe space.</p>
Storage	<p>The following storage is provided:</p> <ul style="list-style-type: none"> <li>• 1 bed 6m<sup>3</sup></li> <li>• 2 bed 8m<sup>3</sup></li> <li>• 3+ bed 10m<sup>3</sup></li> </ul>	<p><b>Complies</b></p> <p>Applicant has amended the architectural plans to show storage areas in accordance with this control.</p>

Floor to ceiling height	<p>A minimum of 2.7m is to be provided in all living rooms and bedrooms</p> <p>A minimum of 2.4m is acceptable in kitchens, bathrooms and upper level bedrooms</p>	<p><b>Complies</b> A North Block – All dwellings provide 2.4-2.7m ceiling heights.</p> <p>A South Block – All dwellings provide 2.4-2.7m ceiling heights.</p> <p>B Block – All dwellings provide 2.4-2.7m ceiling heights.</p>
Fences	Fences and planting delineate private open space from adjoining public domain areas. Fences should be low to medium height, and palisade with open battens in style	<p><b>Complies</b> Proposed fences are low to medium height and palisade style.</p>
Dwelling Entries	Dwelling entries and pedestrian paths are clearly defined from each other and legible from the street	<p><b>Complies</b> Dwelling entries and pedestrian paths are clearly defined from each other and legible from the street.</p>
Passive surveillance	Windows are provided to the local street frontages. Where blank walls are unavoidable, they are designed to face dwelling entries	<p><b>Complies</b> In accordance with discussion with Council's DEP the applicant has amended the proposal to reduce the amount of blank walls to the streetscape with the inclusion of additional windows on the block ends.</p>

FTC Design Guidelines – Table 4 – Attached Dwellings		
Element	Control	Compliance
Building Height	2-3 storeys 3-4 storeys when a home office is provided at ground level	<p><b>Complies</b> Attached dwellings are two stories</p>
Ceiling Height	Predominantly 2.7m with a 2.4m minimum	<p><b>Complies</b> Attached dwellings provide 2.4-2.7m ceiling heights.</p>
Front setback	2.5 m minimum from the front boundary to front building façade	<p><b>Complies</b> 3m front setback provided to all attached dwellings.</p>
	An articulation zone may be established between the front setback to a distance of up to a minimum of 1m from the front boundary	<p><b>Complies</b> 1m to all balconies.</p>
Side Setback	Zero lot boundary	<p><b>Complies</b> Zero setback provided to all dwellings.</p>
Side Setback (corners)	Zero lot boundary	<p><b>Noted</b></p>



Rear setback	0.5m minimum from rear lane boundary to garage door	<b>Complies</b> 1m rear setback provided to all dwellings.
Internal Separation	The minimum internal separation between windows and the rear wall of a studio dwelling is 4.5m	<b>Complies</b> 4.9m provided between rear of attached dwellings and studios
Garage	Access to be provided from the rear	<b>Complies</b> Access provided from Local Street 7
Landscaped Area	15m <sup>2</sup> minimum area	<b>Complies</b> All dwellings exceed the minimum landscaped area requirement.
Private open space	25m <sup>2</sup> minimum area and 3m minimum dimension	<b>Complies</b> All dwellings exceed the minimum POS area requirement and provide a minimum 3m dimension.
	Provides for flexible use as additional car space	<b>Complies</b> Each dwelling provides room within the POS areas for a stacked parking space
	Is accessed directly from living rooms	<b>Complies</b> All dwellings provide POS access directly from a living room
Solar Access	70% of dwellings (including townhomes and terraces, but excluding studio dwellings) within each Precinct receive at least 2 hours of sunlight between 9am and 3pm on 21 June to at least one living room or 50% of the primary private open space.	<b>Complies</b> 84% of dwellings within RP1 – Stage 1 receive solar access in accordance with this control
Car parking	1-2 Bedroom Dwellings 1 Space	<b>Not applicable</b>
	3-4 Bedroom Dwellings 2 Spaces	<b>Complies</b> 2 spaces provided for each attached dwelling proposed
Bicycle Parking	No requirement if adequate space is provided in the dwelling, storage or parking area.	<b>Considered Acceptable</b> Dwellings have been amended to include additional storage area and have sufficient room in proposed garages to accommodate bicycle parking
BASIX	Minimum performance against BASIX Version 2.3 / Casurina_2_38_3:  • Energy: minimum 62 • Water: minimum 48	<b>Complies</b> Submitted BASIX certificates meet minimum energy and water targets.

Architectural Diversity and Quality	Within a Precinct, architectural diversity and quality is achieved through articulation, modulation, roofscapes, variation in the types of dwelling modules, and use of materials, to create a unique but unified architectural language	<b>Complies</b> Council's DEP has reviewed the attached dwellings and support the design quality and architectural expression proposed by the applicant.
Materiality	A variety of quality materials, such as timber, brick, and metal cladding should be used across Precincts to establish character and respond to the future context	<b>Complies</b> Council's DEP has reviewed the town homes and supports the materiality of the project.
Dwelling Size	Dwellings are required to have a minimum internal area of 100m <sup>2</sup>	<b>Complies</b> All dwelling comply with the minimum internal area requirement.
Bedroom size	One bedroom has a minimum area of 10m <sup>2</sup> and other bedrooms 9m <sup>2</sup> (excluding wardrobe space). Bedrooms have a minimum dimension of 3m (excluding wardrobe space).	<b>Complies</b> All dwelling comply with the minimum bedroom areas and dimensions.
Storage	10m <sup>3</sup>	<b>Complies</b> Applicant has amended the architectural plans to show storage areas in accordance with this control.
Floor to ceiling height	A minimum of 2.7m is to be provided in all living rooms and bedrooms	<b>Complies</b> 2.7m provided in all living rooms and bedrooms
	A minimum of 2.4m is acceptable in kitchens, bathrooms and upper level bedrooms	<b>Complies</b> 2.4m provided in kitchens, bathrooms and upper level bedrooms
Fences	Fences and planting delineate private open space from adjoining public domain areas. Fences should be low to medium height, and palisade with open battens in style.	<b>Complies</b> Proposed fences are low to medium height and palisade style.
Dwelling Entries	Dwelling entries and pedestrian paths are clearly defined from each other and legible from the street	<b>Complies</b> Dwelling entries and pedestrian paths are clearly defined from each other and legible from the street

FTC Design Guidelines – Table 5 – Studio Dwellings		
Element	Control	Compliance
Building Height	2 storeys (including garage)	<b>Complies</b> Studios are located at the first level above garages.
Ceiling Height	Predominantly 2.7m with a 2.4m minimum	<b>Complies</b> Studios provide 2.4-2.7m ceiling heights.
Lane setback	0.5m minimum at ground level	<b>Complies</b> 1m setback provide to laneway at ground level
	0m at level 1	<b>Complies</b> Zero setback to lane at first level
Side Setback	Zero lot boundary	<b>Complies</b> Zero setback to side boundaries
Internal Separation	5.0m minimum between studios and attached dwellings	<b>Complies</b> 5m provided between studios and attached dwellings at first level
Garage	To be located below studio	<b>Complies</b> Garages associated with studios are located below respective studio dwellings
Private open space	4m <sup>2</sup> minimum area and 1.5m minimum dimension in the form of a balcony	<b>Complies</b> Each studio dwelling provides 4.2-4.5m <sup>2</sup> of balcony POS
Solar Access	Skylights should be provided for all studio dwellings.	<b>Complies</b> Each studio proposes skylights
Car parking	1 Space	<b>Complies</b> Each studio is provided with 1 car parking space
Bicycle Parking	No requirement if adequate space is provided in the dwelling, storage or parking area.	<b>Considered Acceptable</b> Dwellings have been amended to include additional storage area and have sufficient room in proposed garages to accommodate bicycle parking
Materiality	A variety of quality materials, such as timber, brick, and metal cladding should be used across Precincts to establish character and respond to the future context	<b>Complies</b> Council's DEP has reviewed the town homes and supports the materiality of the project.
Dwelling Size	Dwellings are required to have a minimum internal area of 45m <sup>2</sup>	<b>Complies</b> Each studio dwelling has an internal area of 47-49m <sup>2</sup>

Bedroom size	The bedroom has a minimum area of 9m <sup>2</sup> (excluding wardrobe space). Bedrooms have a minimum dimension of 3m (excluding wardrobe space).	<b>Considered Acceptable</b>  The initial assessment showed that each of the bedrooms within the studio dwellings may not meet the minimum 3m dimension, with dimensions of 2.8x3m. The applicant was requested to provide bedroom dimensions on the plans for assessment purposes. This was not provided on any plans, however, advice from the applicant stated that the 3m dimension was provided. Accordingly, it is recommended that a condition is imposed 'prior to CC' that requires all bedrooms to indicate a minimum dimension of 3m excluding wardrobe space.
Storage	4m <sup>3</sup>	<b>Complies</b> Applicant has amended the architectural plans to show storage areas in accordance with this control.
Floor to ceiling height	A minimum of 2.7m is to be provided, excluding kitchens and bathrooms where 2.4m is acceptable	<b>Complies</b> 2.7m provided in all living rooms and bedrooms and 2.4m provided in kitchens, bathrooms and upper level bedrooms
Dwelling Entries	Dwelling are clearly defined from garages and legible from the street	<b>Complies</b> The doorways to the studio dwelling are considered to be clearly separated from the garages.

### Dwelling Widths:

In accordance with Table 3 – Town Homes of Edmondson Park FTC Design Guidelines, dwelling widths, dwellings shall have a minimum width of 4m. At the DEP meeting, dated 22 February 2018, the applicant confirmed an internal width of 4m was provided for all dwellings. However, as a result of assessment it is noted that the following dwellings have an internal width of less than 4m:

<b>A North Block:</b>	<b>A South Block:</b>	<b>B Block:</b>
Unit 11093 = 3.7m Unit 11087 = 3.7m Unit 11070 = 3.7m Unit 11076 = 3.7m	Unit 11037 = 3.7m Unit 11038 = 3.7m Unit 11060 = 3.7m Unit 11059 = 3.7m	Unit 11026 = 3.7m Unit 11005 = 3.7m Unit 11011 = 3.7m Unit 11020 = 3.7m

The applicant has argued that the design guidelines do not specify internal width and that the above listed units have a 4m width when measured from the centre line of walls. The applicant also stated that the ADG, which controls high density development, is silent on internal dwelling widths. However, the ADG as per Part 4D requires the width of cross-through apartments to be at least 4m internally. Accordingly, it is considered that the proposed dwellings within RP1- Stage 1, which have been designed as a hybrid between medium and high density housing should have a minimum internal width of at least 4m.

In their final minutes, dated 22 May 2018, the DEP noted that living/dining rooms for 2 and 3 bedroom dwellings should have a minimum internal width of 4m. Accordingly, the above listed units would need to be amended by the applicant to be consistent with the design advice of the DEP and Section 1.7 of the FTC Design Guidelines.

Notwithstanding the above, the applicant has request leniency with regards to the above listed dwelling in RP1 – Stage 1 on the basis that a number of these dwelling have been sold off the plan and amending the design to accommodate the DEP's comment would have a detrimental impact on the commercial viability of the project and to future occupants. See the applicants letter, dated 25 June 2018 (Attachment No.7). The applicant has made a written commitment as part of this letter which states that all future stages and precincts will be designed to have a minimum internal width, for living rooms and dining rooms, of 4m for 2 and 3 bedroom town homes.

Considering any potential economic impacts to future occupants of RP1 – Stage 1 by amending it at this stage and the commitment provided by Frasers to comply with the DEP comments in future stages and precincts, the proposed 3.7m internal widths for the above listed dwellings are considered acceptable in this case.

#### **6.5 Section 4.15(1)(a)(iia) - Any Planning Agreement or any Draft Planning Agreement**

Currently a planning agreement is being formulated between Council and Frasers to capture the uplift provided to the developer of MOD 4 and the creation of FTC beyond what is envisaged by the Liverpool Contributions Plan 2008 – Edmondson Park. The VPA is in its final negotiation stages.

Condition 1.8A of the MOD 4 approval reads as follows:

*“A Voluntary Planning Agreement in accordance with the public benefit offer dated 8 August 2017 between Frasers Property Australian Pty Ltd (or its nominated entity) and Liverpool City Council shall be prepared, publicly exhibited, executed and registered on the title of the land with the Office of Land and Property Information.*

*The Voluntary Planning Agreement, as executed, must be registered on the title of the land prior to the determination of the first development application for residential or commercial floor space within the Frasers Town Centre, or as otherwise agreed with Liverpool City Council.*

*A copy of the executed Voluntary Planning Agreement shall be submitted to the Secretary.”*

Council has received legal advice that states that Council may consider the determination of the first development application for residential or commercial floor space within FTC, as the current contributions plan (Edmondson Park 2008) can be relied on up until the amount dwellings envisaged under this plan has been reached onsite. At that point, the VPA would need to be executed and registered on title in accordance with Condition 1.8A. The legal advice is Attachment No.8 of this report.

The number of dwellings within the area known as FTC has increased by 972 dwellings from 912 to 1884, as per MOD 4. Accordingly, the number of dwellings that contributions can be levied for within FTC is 912 as per the Liverpool Contributions Plan 2008 – Edmondson Park.



Accordingly, there is no consideration of a draft VPA required for the subject DA and contributions for the subject DA have been calculated based on the Liverpool Contributions Plan 2008 – Edmondson Park.

#### **6.5 Section 4.15(1)(a)(iv) – The Regulations**

Relevant provisions of the Environmental Planning and Assessment Regulation 2000 have been considered. The development application has been assessed in accordance with the regulations.

#### **6.6 Section 4.15(1)(b) – The Likely Impacts of the Development**

##### **(a) Natural and Built Environment**

The proposal relates to the construction of dwellings and embellishments to the public domain and would have limited impacts on the natural environment at this stage. The site was cleared, excavated and regraded as part of previous applications and accordingly there is no vegetation removal as part of this DA. The subject application will include a significant amount of landscaping provision, in both deep soil and planter bed arrangements. The planting species and coverage have been reviewed by Council's Tree Officer, Sustainable Environment Planner and DEP, all of whom have raised no objection to the landscaping options and their impact to the natural environment. Drainage onsite has been approved under previous applications and was designed in accordance with the Council's policies for water quality management. The development of the site as proposed will facilitate the delivery of the Concept Approval for the Edmondson Park South, which seeks to create local and regional parks that will preserve significant amounts native vegetation and ecological communities surrounding the subject site. It is considered that the proposal is unlikely to have a negative impact on the natural environment.

Currently the site is vacant in terms of built form, with the exception of the display centre. There are no other buildings apart from Edmondson Park Railway Station that are clearly visible from RP1 – Stage 1. It is considered that the proposed development will establish the built form context for future development within Liverpool LGA south of the railway station. Accordingly, the proposal is not considered to be likely to have any impact on an existing built environment in the immediate locality.

##### **(b) Social Impacts and Economic Impacts**

The proposal will facilitate the future development of the Edmondson Park Town Centre and the Concept Approval for Edmondson Park South and therefore is considered to have positive social and economic impacts. The proposed development will facilitate the provision of medium density housing located close to public transport services and a future mixed use town centre. The future town centre will offer future residents ready access to goods, services and community facilities.

#### **6.8 Section 74.15(1)(c) – The Suitability of the Site for the Development**

The site is considered to be suitable for the proposed development.

The proposal is generally compliant with the provisions of State Environmental Planning Policy (State Significant Precincts) 2005 and the Edmondson Park FTC Design Guidelines. The development is also consistent with the Edmondson Park South concept approval (MP 10\_0118) and MOD 4 of Concept Plan (MP 10\_0118).

## **6.9 Section 4.15(1)(d) – Any submissions made in relation to the Development**

### **(a) Internal Referrals**

The following comments have been received from Council's Internal Departments:

<b>Department</b>	<b>Comment</b>
Land Development Engineering	No objection - Subject to conditions.
Landscape (Tree Officer)	No objection - No conditions.
Environmental Health	No objection - Subject to conditions.
Flood Engineering	No objection - Subject to conditions.
Traffic Engineering	No objection - Subject to conditions.
Heritage Advisor	No objection - No conditions.
Community Planning	No objection - No conditions.
Waste	No objection - Subject to conditions.
Natural Resources Planner	No objection - No conditions.

### **(b) External Referrals**

The DA was referred to the following public authorities for comment:

<b>Department</b>	<b>Comment</b>
Roads and Maritime Services (RMS)	No objection – Subject to conditions.
Endeavour Energy	No objection – Subject to conditions.
NSW Police – Liverpool Local Area Command	No objection – Subject to conditions.
Transport for NSW	No objection – Subject to conditions.
TransGrid	No objection – No conditions
Sydney Water	No objection – Subject to conditions.

### **(c) Community Consultation**

In accordance with LDCP 2008, Section 18 the DA was required to be notified and advertised. The development was on notification for 14 days from the 1 November to the 16 November 2017.

No submissions have been received in respect to the proposal.

### **6.7 Section 4.15(1)(e) – The Public Interest**

The proposed development is consistent with the zoning of the land and will facilitate the future development of the Edmondson Park Town Centre in accordance with the approved Concept Plan for the Edmondson Park Town Centre, State Environmental Planning Policy (State Significant Precincts) 2005 and the Edmondson Park FTC Design Guidelines.

As a result of the additional information and amendments to the application made by the applicant in consultation with Council and the various stakeholders discussed in this report, it is considered that the development of RP1 – Stage 1 is in the public interest.

## **7 SECTION 7.11**

Liverpool Contributions Plan 2008 – Edmondson Park is applicable to the subject DA and development contributions have been calculated for the proposal based on this plan.

The contribution fee is **\$2,205,957**.

## **8 CONCLUSION**

In conclusion, the following is noted:

- The application has been assessed having regard to the matters of consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 and is considered satisfactory.
- The proposal substantially complies with the provisions of the provisions of State Environmental Planning Policy (State Significant Precincts) 2005 and the approved Concept Plan for the Edmondson Park Town Centre.
- The development will facilitate the future development of the Edmondson Park Town Centre which is well located in relation to existing transport, and future employment, shopping, business and community services, as well as recreation facilities.

It is for these reasons that the proposed development is considered to be satisfactory and the subject application is recommended for approval, subject to conditions.

## **9 ATTACHMENTS**

1. Architectural Plans
2. Landscape Plans
3. Statement of Environmental Effects
4. Public Domain Plan
5. Consolidated DEP Minutes
6. Applicants response to SWCPP and Council Deferral Matters
7. Applicants Commitment to Town Home Widths

8. Legal Advice
9. Instrument of Modification MOD 4
10. RP1 Deep Soil and Tree Canopy Analysis
11. Recommended Conditions of Consent
12. Edmondson Park Frasers Town Centre Design Guidelines